THE Signalman's JOURNAL

JULY-AUGUST, 1973

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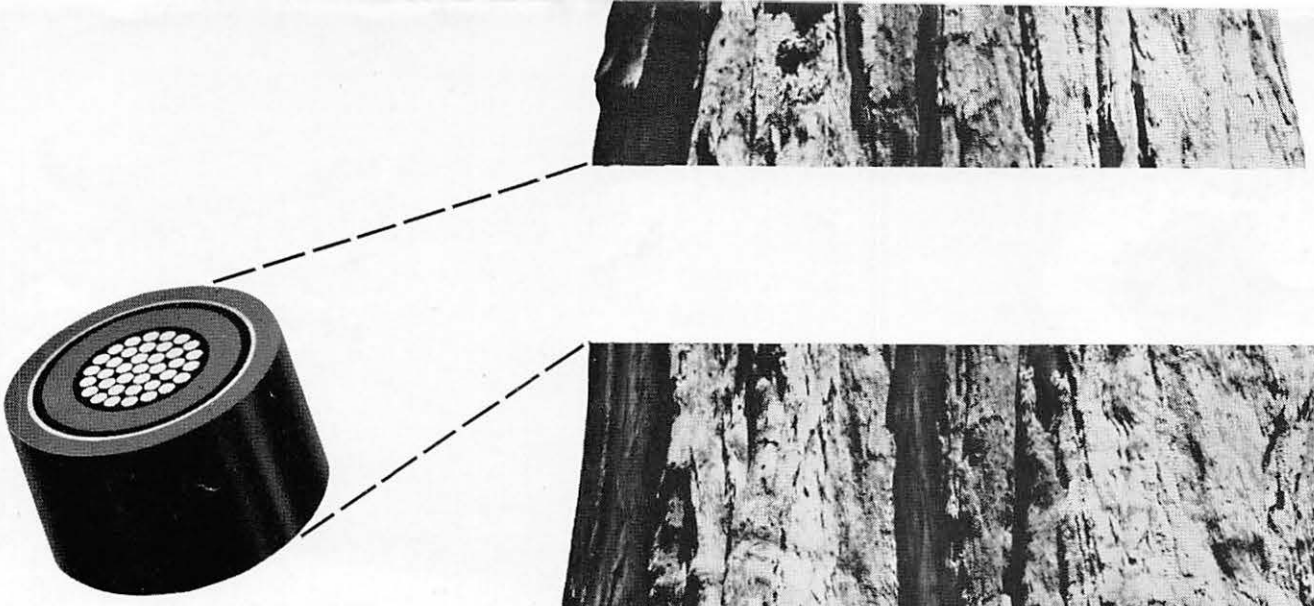
THREE YEAR PROGRESS REPORT

Officers' Report Tells Convention Delegates of Brotherhood's Progress on Many Fronts



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A Message From President C.J. Chamberlain

AS WE ARE WRITING THIS message, we are in the midst of a flurry of activity at our Grand Lodge office making last minute preparations for our Thirty-Ninth Regular Convention which will convene in New Orleans, Louisiana, on July 23, 1973.

The volume of credentials received to date indicates that we should have a record attendance at this Convention. This is as it should be as the Convention proceedings under the Constitution are most important, and in fact, the Convention delegation in session is the sovereign policy making body of our Brotherhood.

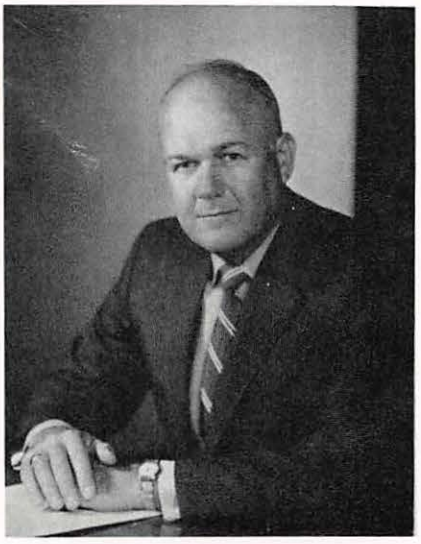
The Convention is empowered under the Constitution to adopt all laws and regulations of general application for the government of the Brotherhood, as well as alter, amend or repeal existing laws and regulations. It naturally follows that a Convention delegate holds a most important position and one that cannot and should not be taken lightly.

In fact, the Constitution clearly provides that it shall be the duty of a delegate to attend all sessions of the Convention, faithfully represent the interests of his Subordinate Lodge, strive to further the interests of the Brotherhood and perform to the best of his ability any work that may be assigned to him.

As we commence this Convention, I think it appropriate to quote from the Preamble to the Constitution of the Brotherhood of Railroad Signalmen, and recommend that all in attendance, delegates, delegates at large and Grand Lodge Officers review the basic principles set forth therein as in my judgment such principles and fundamentals must always be foremost in our minds as we conduct our Convention business and consider and make decisions on the numerous resolutions and recommendations that will come before the Convention.

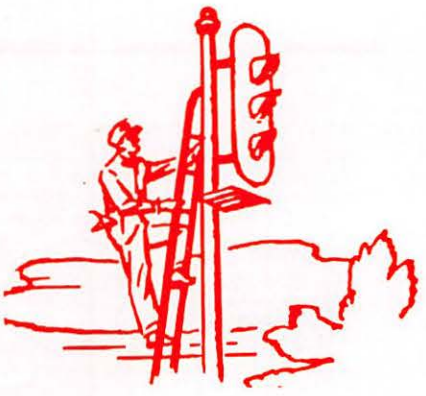
PREAMBLE

"To promote the interests and general welfare of its members; to provide methods for relief of sickness and distress; to inculcate the principles of trade unionism and unity, that members may secure the



recognition of rights to which they are justly entitled; to advance and elevate the profession of railroad signaling; to educate its members that their happiness, prosperity, and general well-being may be enhanced; to perpetuate itself on the basis of truth, justice, and brotherly love, and to provide laws for its government, the Brotherhood of Railroad Signalmen adopts and ordains this Constitution.

"This Constitution shall govern the officers, subordinate units and members of the Brotherhood in the discharge of their duties and obligations according to the high standards of officer-member responsibility and conduct herein required. It also establishes certain rights and privileges, subject to reasonable qualifications, rules, or regulations uniformly imposed governing their exercise, in order to prevent abuse of such rights and privileges by a few members contrary to the interests of the great majority and to promote the interest and welfare of all concerned."



This Convention will control the destiny and future of our Brotherhood. This Convention will act on many resolutions and recommendations that will chart our course for the future, and each delegate and delegate at large must keep in mind that his decision on any matter must first take into account what effect it will have on the Brotherhood as a whole.

Each decision of a delegate or delegate at large will represent an individual judgment. All we ask is that on arriving at that judgment, all factors are considered, both sides of a controversial issue are listened to, and after a careful analysis of all the facts, a determination is made which will "further the overall interests of the Brotherhood of Railroad Signalmen."

Do not come into the Convention with a closed mind on any issue, and do not come into Convention prejudging any issue. On occasion we hear that delegates and/or delegates at large are pre-instructed by their Subordinate Lodges to vote certain ways on issues without having the benefit of the facts.

Your Grand Lodge Officers and your Convention Committees have spent many long hours in preparing for the Convention, and will spend many more at the Convention getting the facts before the delegates.

We have but one objective in mind, namely that of making our Brotherhood stronger, more effective and more capable of doing a better job in representing and furthering the interests of the members of our unique, highly skilled, specialized craft of signal employes.

We have made tremendous progress during the past few years and we are confident that this Convention will go down as one which was not ony productive and constructive, but also the most progressive in the history of the Brotherhood in planning and insuring that we keep moving forward to achieve our objectives which are clearly defined and well known to us all.

UP Announces $14.6 Million Improvement In Track And Signal Work

UNION PACIFIC RAILROAD HAS ANNOUNCED PLANS TO INvest $14.6 million in track construction work on its line between Kansas City and North Platte, Neb., and in track and signal work in its Kansas City, Kan., yards.

John C. Kenefick, president of the road, said the project is designed to upgrade the line and to speed up freight train service between eastern gateway connections and UP's principal classification yard at North Platte.

Kenefick said $12.2 million will be spent on the line between Kansas City and North Platte. This portion of the project calls for several line changes to remove train-slowing curves and reduce grades and for more than 30 miles of new passing track extensions. The new passing track extensions will have centralized traffic controlled electronic signals and switches to permit trains to enter and leave the main line at high speeds. Land acquisitions, grading, signal and bridge work are included in this expenditure.

A new yardmaster's control tower and relocation of some trackage in the Kansas City yards will cost $700,000, Kenefick said.

The railroad president said an additional $1.7 million will be spent for extensive relocation and rearrangement of yard trackage in the Kansas City yards and for the installation of controlled signals and switches to provide a controlled main track through the yards.

Work is scheduled to begin on the project this spring and be completed in about two years.

Kenefick pointed out this is one of UP's continuing track improvement programs designed to keep its roadway in condition to handle today's heavier freight cars at greater speeds. "This is vital to an operation which is geared to handle an increasing volume of freight moving by rail," he said.

College Enrollment Rises

COLLEGE AND UNIVERSIty enrollment in the United States rose 2 percent to a record 9.2 million last fall, the Dept. of Health, Education & Welfare reported.

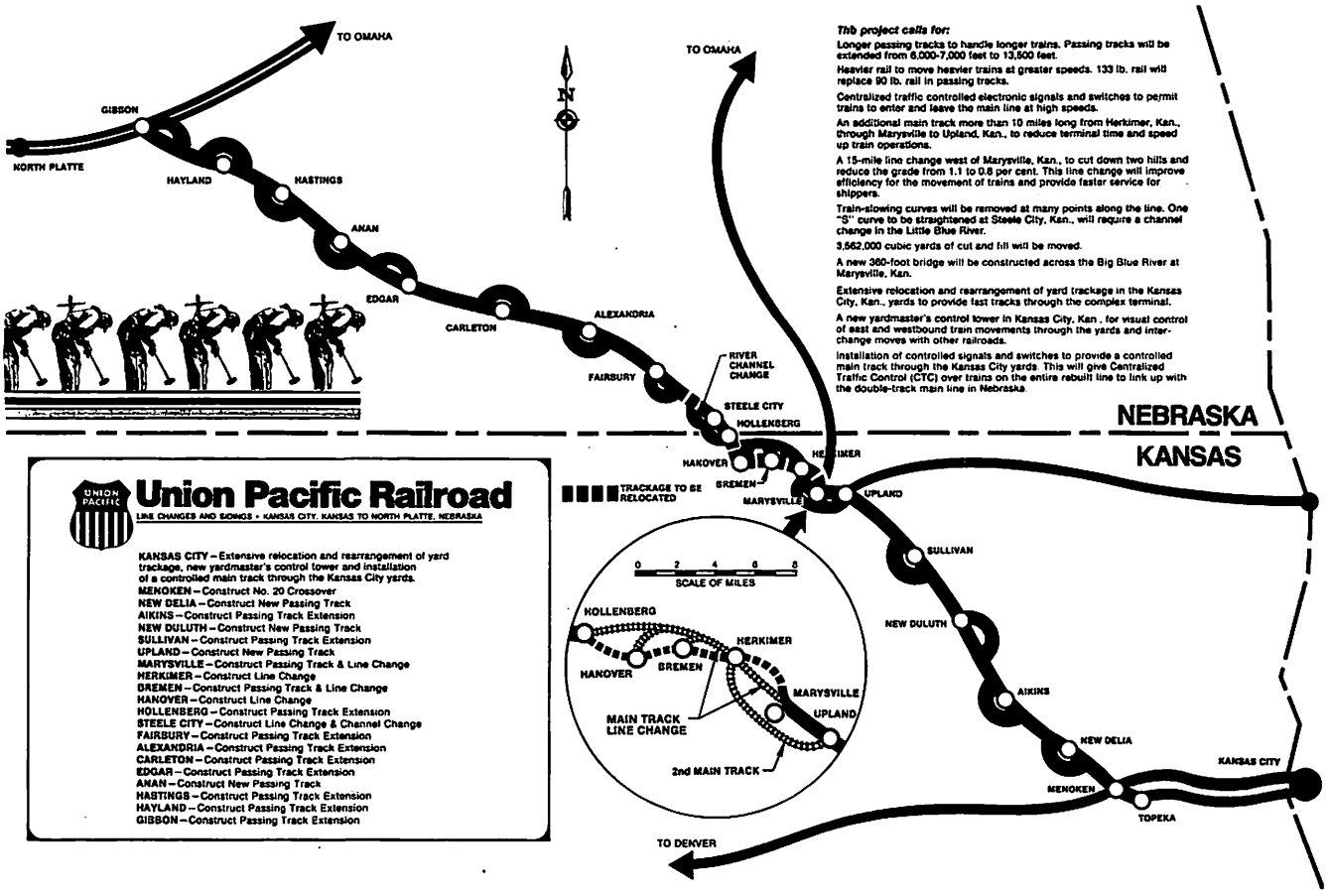
The 179,000 increase over the fall of 1971 enrollment was disclosed in an annual fall enrollment survey by HEW's Office of Education.

The bulk of the increase came in two-year institutions, which accounted for 2,625,000 students, a 5.4 percent rise over the previous year's enrollment of 2,491,000, HEW said. California led the nation in the number of students attending two-year institutions last fall—about 747,000. New York was next with 229,000.

Four-year institutions posted a slight gain of 45,000 students. Enrollment last fall rose to 6,579,000 from 6,534,000 in 1971. Ohio topped the states with more than 211,000 enrolled in four-year colleges and universities.

HEW noted that numerical gains have been recorded in every survey taken since 1951, but the annual rate of increase has been diminishing in recent years.

Nearly 2,700 higher education institutions across the country participated in the survey, which covered students signed up not only for programs leading toward degrees but also those in vocational and technical programs of less than four years.


TO OMAHA
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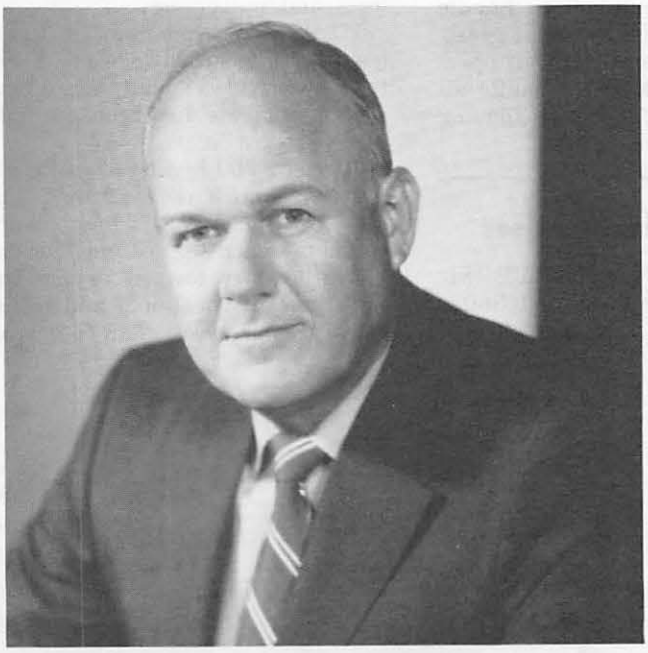
HANOVER
BREMEN
MARYSVILLE
UPLAND
SULLIVAN
NEW DULUTH
AIKINS
NEW DELIA
MENOKEN
KANSAS CITY
TOPEKA
TO DENVER
NEBRASKA
KANSAS
TRACKAGE TO BE RELOCATED
SCALE OF MILES
MAIN TRACK LINE CHANGE
2nd MAIN TRACK
This project calls for:
Longer passing tracks to handle longer trains. Passing tracks will be extended from 6,000-7,000 feet to 13,500 feet.
Heavier rail to move heavier trains at greater speeds. 133 lb. rail will replace 90 lb. rail in passing tracks.
Centralized traffic controlled electronic signals and switches to permit trains to enter and leave the main line at high speeds.
An additional main track more than 10 miles long from Herkimer, Kan., through Marysville to Upland, Kan., to reduce terminal time and speed up train operations.
A 15-mile line change west of Marysville, Kan., to cut down two hills and reduce the grade from 1.1 to 0.8 per cent. This line change will improve efficiency for the movement of trains and provide faster service for shippers.
Train-slowing curves will be removed at many points along the line. One "S" curve to be straightened at Steele City, Kan., will require a channel change in the Little Blue River.
3,562,000 cubic yards of cut and fill will be moved.
A new 360-foot bridge will be constructed across the Big Blue River at Marysville, Kan.
Extensive relocation and rearrangement of yard trackage in the Kansas City, Kan., yards to provide fast tracks through the complex terminal.
A new yardmaster's control tower in Kansas City, Kan., for visual control of east and westbound train movements through the yards and interchange moves with other railroads.
Installation of controlled signals and switches to provide a controlled main track through the Kansas City yards. This will give Centralized Traffic Control (CTC) over trains on the entire rebuilt line to link up with the double-track main line in Nebraska.
Union Pacific Railroad
LINE CHANGES AND SIGNALS • KANSAS CITY, KANSAS TO NORTH PLATTE, NEBRASKA
KANSAS CITY – Extensive relocation and rearrangement of yard trackage, new yardmaster's control tower and installation of a controlled main track through the Kansas City yards.
MENOKEN – Construct No. 20 Crossover
NEW DELIA – Construct New Passing Track
AIKINS – Construct Passing Track Extension
NEW DULUTH – Construct New Passing Track
SULLIVAN – Construct Passing Track Extension
UPLAND – Construct New Passing Track
MARYSVILLE – Construct Passing Track & Line Change
HERKIMER – Construct Line Change
BREMEN – Construct Passing Track & Line Change
HANOVER – Construct Line Change
HOLLENBERG – Construct Passing Track Extension
STEELE CITY – Construct Line Change & Channel Change
FAIRBURY – Construct Passing Track Extension
ALEXANDRIA – Construct Passing Track Extension
CARLETON – Construct Passing Track Extension
EDGAR – Construct Passing Track Extension
ANAN – Construct New Passing Track
HASTINGS – Construct Passing Track Extension
HAYLAND – Construct Passing Track Extension
GIBSON – Construct Passing Track Extension

THREE YEAR PROGRESS REPORT

by C. J. Chamberlain, President and R. T. Bates, Secretary-Treasurer



C. J. Chamberlain has served as President of the BofRS since 1967. He is a member of C&NW Local 108. President Chamberlain will have a busy week, July 23-27, presiding at all Convention sessions.

R. T. Bates was elected Secretary-Treasurer at the 1970 Convention. Brother Bates, a member of S.P. Local 152, will have many duties during the Convention, including those as Chairman of the Credentials Committee.

IN COMPLIANCE WITH THE PROVISIONS OF Article I, Section 85 of the Constitution of the Brotherhood of Railroad Signalmen, your Grand Lodge Officers submit this triennial report to the Thirty-Ninth Regular Convention of our organization.

This general report on the activities of Grand Lodge is being prepared under the guidance and direction of your President and Secretary-Treasurer, and is supplemented by reports of the Grand Board of Trustees and the Grand Executive Council. It will cover the three year period from April 1, 1970, through March 31, 1973.

The 1970 Convention of the Brotherhood of Railroad Signalmen held in Las Vegas, Nevada, saw a number of changes take place in the official family of our organization.

Brother R. T. Bates, who served as Vice President Western Region from 1967 until July 1, 1970, when he was elected to the position of Secretary-Treasurer by the Grand Executive Council to fill the unexpired term of Brother P. T. Drummond who retired on a disability annuity, was elected by the Convention to a full term as Secretary-Treasurer.

J. T. Bass, Grand Lodge Representative at Grand Lodge Headquarters from 1967 to 1970, was elected as Vice President, Western Region, to succeed Brother Bates.

Due to the retirement of Brother G. Orndorff, Vice President at the National Railroad Adjustment Board, Brother W. W. Altus, Grand Lodge Representative at Grand Lodge Headquarters, was elected to succeed him.

As a result of the retirement of Brother W. H. Lewis, Chairman of the Board of Trustees, Brother W. W. Lauer, General Chairman on the Burlington Northern, was elected to the position of Grand Lodge Trustee. Brother W. D. Wilson, a member of the Board of Trustees, also retired and Brother G. A. Harrington,

Recording Secretary of Seaboard Coast Line, Local 105, was elected to succeed him.

Due to the vacancies in our Grand Lodge staff created by the retirement of Brothers Drummond and Orndorff, it was necessary for us to make two appointments; Brother G. F. Harper, former General Chairman on the Southern Railway was appointed Grand Lodge Representative effective September 1, 1970. Brother W. B. Harwell, former Local Chairman of Santa Fe Local 161 was appointed Grand Lodge Representative effective October 1, 1970.

Brother Harper is assigned at headquarters to handle and prepare National Railroad Adjustment Board cases and numerous other special detail assignments. Brother Harwell's primary duty is the handling and preparation of National Railroad Adjustment Board cases.

Since our 1970 Convention, a number of changes have taken place in our official family of Canadian officers. On October 1, 1971, Brother C. R. Scott, Chairman of the Grand Board of Trustees, passed away at the age of 63 following a short illness. Brother Scott's passing was a great loss to our organization as he had been a member since 1929 and had served as a Grand Lodge Trustee from Canada since 1950. Brother Scott served our Brotherhood for many years, was a true Brother and trade unionist who always placed the needs and desires of the membership ahead of his own. Brother Scott will be sorely missed by his many Brothers in the trade union movement in Canada and the United States. We have lost an old and personal friend who was an excellent officer of our Brotherhood.

Due to Brother Scott's passing, Brother J. Emmett Dubois, Local Chairman of Local 144, was appointed as Grand Lodge Trustee, and he has served our Brotherhood well in his new position.

We regret to inform you that another of our well loved retired Grand Lodge Officers, Brother D. C. (Clint) Cone, passed away suddenly on January 9, 1972, at the age of 84. Brother Cone's work during his long career as an officer of our union included participation in every facet of the Brotherhood's activities. He became widely known in the nation's Capitol, not only as the Brotherhood's National Legislative Representative, but as a highly respected representative of railroad workers in general on Capitol Hill. During his two decades in Washington, he participated in all movements to secure legislation which was beneficial to railroad workers.

Prior to our Canadian General Committee meeting held in Calgary in September of 1972, Grand Lodge Representatives H. A. Stockdale and A. N. Cotton announced that they would not be candidates for re-election as General Chairmen—Grand Lodge Representatives from Canada at the expiration of their terms on December 20, 1972. Brother Stockdale retired on an age annuity and Brother Cotton on a disability annuity for health reasons. Brothers Stockdale and Cotton have served our Brotherhood for many years and their retirement is a severe loss to our Brotherhood. Both officers have been very valuable assets to our organization and in particular to our Canadian membership. Their knowledge, ability, sincerity, and dedication to doing a job well will be sorely missed by those of us who have relied on them to represent the interests of our Canadian Brothers. We wish both of them well and hope they will enjoy many years of happy, healthy retirement.

Due to the retirement of Brothers Stockdale and Cotton, our Canadian General Committee elected Brother John Platt, Local Chairman, Canadian National Local 12, to succeed Brother Stockdale with headquarters at Montreal, and Brother R. R. Mitchell, Local Chairman, Ontario Northern Local 204, to succeed Brother Cotton with headquarters at Winnipeg, Manitoba, Canada. Brothers Platt and Mitchell have also been appointed as Grand Lodge Representatives from Canada and have been serving on their respective positions since December 1, 1972, with Brother Platt replacing Brother Stockdale on the Grand Executive Council.

The Brotherhood of Railroad Signalmen sustained a real loss on November 2, 1972, when our senior Vice President T. H. Gregg passed away suddenly at Bristol Memorial Hospital following a short illness. Brother Gregg entered railroad service in September 1925 and held various positions in the Brotherhood on the Southern Railway until April 1, 1943, when he was appointed to the position of Grand Lodge Representative with headquarters at Washington D.C. Brother Gregg was elected as Vice President assigned to the Southeast and had served in that capacity until his sudden death.

Brother Gregg was an outstanding officer and one whose wise counsel and guidance helped us in making many important decisions. He will be sorely missed by those of us who worked closely with him for many years, and his sudden departure from this earth has left a big void in our Brotherhood that will be difficult to fill. Brother Gregg was a most capable, dedicated officer whose wisdom, judgment and stabilizing influence was a valued asset to our Grand Executive Council.

As a result of Brother Gregg's death, Vice President C. S. Chandler was assigned to the position of Vice President, Southeastern Region, with headquarters at Paducah, Kentucky. The position of Vice President, Midwestern Region, formerly filled by Brother C. S. Chandler was assigned to Brother W. D. Best, Director

C. S. Chandler serves as Vice President assigned to the Southeast Region. Brother Chandler was elected Vice President in 1958 and is a member of I.C. Local 46.

of Research. In addition to assuming the duties of the Midwestern Regional Vice President's position with headquarters at Chicago, Illinois, Brother Best will continue his duties as Director of Research at Grand Lodge Headquarters. The assignments and appointments of Brothers Chandler and Best were made by the President with the approval of the Grand Executive Council in accordance with the provisions of the Constitution.

In addition to the foregoing changes in our official Grand Lodge family brought about by death and/or retirement, we have implemented another change in our structure by realigning the territories and assignments of our officers to better serve our membership, and also effect some economies in our operation. On December 4, 1972, we worked out a reassignment of railroads for each Vice President and advised our General Chairmen and Local Lodge Officers of the changes accordingly.

It seems that it has been a relatively short time since our 1970 Convention, however, when one stops to reflect about the events that have occurred since that time, it is readily evident that our Brotherhood has made considerable progress in attaining certain objectives, as well as placing in motion many other programs designed to improve and enhance the position of our members. In preparing our report to the 1970 Convention we stated that, in our judgment, the most important accomplishment made during the period 1967-1970, was the progression and disposition of our March 1, 1968 wage notice. The April 21, 1969 National Agreement was a significant first step made by our Brotherhood toward obtaining equity for our skilled membership.

During the past three years 1970-1973, the highlight event was unquestionably the national strike against all carriers in the United States on May 17-18, 1971. In checking back, it is a fact that our so-called little organization accomplished many things that many said could not be done. In fact, our organization representing approximately 2% of the railroad employes, realized more in our November 16, 1971 National Agreement for our membership than was obtained by any other non-op labor organization. We obtained the best agreement while faced with what appeared to be insurmountable odds; however, the well organized and coordinated efforts by Grand Lodge, General Committees, Local Lodges and our members, plus the support of our sister unions, made it all possible.

B. H. Steuerwald is the BofRS Vice President assigned to the Northeast Region. Brother Ben, a member of Penn Central (NYC-LE) Local 76, was appointed Vice President in 1962 and has been elected at each succeeding Convention since 1964.

We take great pride in the fact that the last three years has seen our organization continue to progress as an individual, autonomous, craft union. We are also pleased that there has been a decided improvement in relations among our railroad brotherhoods, as we are now working together collectively on many matters of major importance to all railroad labor. Our organization and its Grand Lodge Officers are playing most important parts on Railway Labor Executives' Association committee assignments, health and welfare committees, Railroad Retirement committees, joint labor-management task force assignments, Amtrak, and many other matters of major importance to our membership and railroad labor as a whole. We have insisted on being involved because we do not believe in the "let George do it" philosophy. The only way the voice of the Signalmen can be heard is by participating and becoming involved. This requires that all of our officers spend more time and expend more effort in doing their jobs. We have within our organization the assets, tools, desire, determination and dedication to do the job and I am proud to say that we are associated with men of ability, ambition and integrity who can hold their own on any assignment that may come their way.

Most Important Events

Wage and Rules Movements

Since the 1970 Convention, the Grand Executive Council has been involved in the following national wage and rules movements in the United States:

October 1, 1969 Wage Notice
May 18, 1970 Fringe Benefit Notice
Health and Welfare Program Travelers GA-23000
January 2, 1973 Wage and Rules Notice

We reported to our 1970 Convention that our October 1, 1969 wage notice was being handled on a national basis by the Grand Executive Council and the National Railway Labor Conference, and that plans were under way for our Brotherhood to launch an individual fringe benefit movement on or about May 18, 1970.

After failing to settle the wage issue during several conferences with the National Railway Labor Conference, we jointly invoked the services of the National Mediation Board on April 9, 1970, and the matter was pending at this level when our May 18, 1970 fringe benefit notice was served. The carriers immediately took the position that our fringe benefit notice should be concurrently handled with the wage notice, and the carriers' counterproposals which were listed in our 1970 Convention Report. Despite our efforts to keep our October 1, 1969 wage notice and the May 18, 1970 fringe benefit notice separated, they were both eventually combined.

On July 14, 1970, we notified the National Medi-

ation Board that authority for a national strike had been obtained and that apparently nothing had been done in response to our request for their services on April 9, 1970 except to designate the dispute as Case No. A-8811.

On July 29, 1970, the National Railway Labor Conference asked the National Mediation Board to assume jurisdiction over our fringe benefit notice. The NMB assigned it Case No. A-8811, Sub. 1.

The mediation efforts of the National Mediation Board did not resolve the disputes, and arbitration was proffered. After we rejected the proffer of arbitration, a strike was set for 6 a.m., Friday, March 5, 1971, and we so notified the NMB.

At this point, President Nixon intervened by appointing a Presidential Emergency Board which was designated No. 179. The Board commenced hearings on March 15, 1971, and issued its report and recommendations on April 14, 1971. Since the recommendations of this Board were not acceptable to the organization, we called a nationwide strike for 6 a.m., Monday, May 17, 1971.

For a number of days prior to the strike, President Chamberlain and our negotiating committee were in Washington, D.C., negotiating under the direct supervision of the U.S. Department of Labor, which exerted a considerable amount of pressure on our committee in an attempt to avert the strike. Despite the efforts of the Department of Labor, the strike commenced as planned.

In our opinion, the strike was very successful, thanks to the splendid manner in which our members conducted themselves on the picket lines, and to the support we received from other union members, both within and without the ranks of railway labor.

In the meantime, the U.S. Congress went into action soon after the strike commenced, investigating the dispute and questioning President Chamberlain and the Chairman of the National Railway Labor Conference.

While President Chamberlain and our negotiating committee were in Washington, other Grand Lodge officers and representatives remained on duty constantly at Grand Lodge Headquarters from early Saturday morning, May 15, until Wednesday evening, May 19.

During the afternoon of May 18, 1971, Congress issued its Joint Resolution, SJ 100, ordering an immediate end to the strike, granting certain wage increases effective January 1 and November 1, 1970, and urging management and labor to negotiate an agreement to provide, as soon as possible, substantially improved living quarters for employes on travel status. That resolution also ordered the Secretary of Labor to submit a report to Congress concerning progress, if any, in negotiations between the parties and such recommendations for a solution as he might deem appropriate.

The organization responded immediately to the resolution after it was signed by President Nixon, and the pickets were ordered to withdraw. Following the end of our strike, we resumed negotiations on the wage and fringe benefit notices, and subsequently reached agreement November 16, 1971 which included the wage increases covered by the Joint Resolution of Congress, plus the following:

November 16, 1971 Agreement, Mediation Case No. A-8811

1. Effective January 1, 1971: Establish minimum rates of pay of $3.52 for helpers, $3.55 for first step assistants, $3.75 for top grade assistants, $4.30 for mechanics, and $4.38 for leaders; then add 10¢ per hour for all employes, and after that round off the hourly rates to the nearest whole cent.

2. Effective April 1, 1971: 15¢ per hour increase for leaders and mechanics, 8¢ per hour for assistants and helpers.

3. Effective October 1, 1971: 5% increase for all employes.

4. Effective April 1, 1972: 5% increase for all employes.

5. Effective October 1, 1972: 5% increases for all employes.

6. Effective April 1, 1973: 25¢ per hour increase for all employes.

7. Effective January 1, 1972: Good Friday in lieu of the employe's birthday as an eighth paid holiday, with 8 hours pay added to the annual compensation for monthly rated employes.

8. Effective January 1, 1973: Add Veterans Day as a paid holiday, with 8 hours pay added per annum to weekly and monthly rated employes.

9. Effective January 1, 1973: Add fifth week of paid vacation for employe with 25 years of service.

10. Effective January 1, 1973: Jury duty pay, up to 60 days per year.

11. Effective 75 days after November 16, 1971: Double time after 16 hours work, unless an individual committee notified the carrier in writing of its desire to retain an existing rule dealing with double time payments.

12. Camp cars. This subject remanded to the individual properties to examine the feasibility of their eventual elimination, with provisions to establish a special arbitration committee on a railroad where agreement is not reached, such arbitration committee authorized to make final and binding recommendations. While agreement has been reached on some railroads, with the camp car issue still in dispute on others, this matter is being pursued further with our January 2, 1973 Section 6 notice.

13. Apprentice Programs. In response to our request for an appropriate training program for assis-

M. B. Frye is our Vice President assigned to Grand Lodge Headquarters. Elected in 1967, Brother Pete, a member of S.P. Local 182, has charge of preparing cases for the N.R.A.B.

tants, we agreed to the establishment of a joint committee of the industry and the organization for the purpose of establishing broad guidelines for the use of local carrier and Brotherhood committees in the implementation of apprentice programs where practical. That joint committee, consisting of two representatives of the Brotherhood of Railroad Signalmen and two from the National Railway Labor Conference, issued its guidelines under date of November 15, 1972. Those guidelines provide, briefly, the following:

- Establishment of a System Committee, consisting of management and union representatives, to act in an advisory capacity in the matter of training.
- Each trainee to be furnished a copy of the agreement.
- Credit for previous experience.
- Term of training to be a minimum of 24 months.
- 90-day probationary period for each trainee.
- Recommendation that proper ratio of trainees to mechanics be maintained, with not more than one trainee for each two journeymen.
- On the job training hours to be the same as journeyman with whom working, with classroom or laboratory training periods to be 40 hours per week.
- Trainee to receive necessary instruction and experience to develop a practical and versatile Signalman.
- Trainee to receive related technical instruction, to include classroom instruction, work study, correspondence courses, or a combination of any of these to fulfill the required 144 hours of such instruction considered the minimum per year.
- Company to designate a particular person as supervisor of trainees, with responsibility to carry out the training program and maintain adequate records to be submitted to our System Committee upon request.

John T. Bass is the Signalmen's Vice President headquartered in Denver and assigned to the Brotherhood's Western Region. Brother Bass, a member of L&N Local 176, has served as Vice President since 1970.

- Trainee to receive certificate upon completion of training.
- System Committee to make final adjustment in settlement of differences arising under the operation of the training program.
- Trainee to receive safety training, including indoctrination concerning company rules, reporting of accidents, and availability of first-aid medical facilities.

14. Moving allowances and real estate loss protection, plus up to five days pay when change of residence caused by technological, operational or organizational change.

15. Amend "emergency" force reduction rule to the extent a carrier may reduce forces under certain conditions with no advance notice.

16. Carrier permitted to deduct outside earnings if dismissed or suspended employe is returned to service.

Improvements in Health and Welfare Benefits, Travelers Policy GA-23000

Improvements in this program, as reported to the 1970 Convention, covered changes in the two year contract ending February 29, 1972. Further improvements in Policy GA-23000 were obtained in a two year contract covering the period March 1, 1972 through February 28, 1972. Negotiated changes were:

1. Increase maximum days of hospital confinement from 180 to 365 days per confinement.
2. Increase lifetime maximum major medical from $20,000 to $50,000.
3. Increase automatic restoration on major medical from $1,000 to $2,000 per annum.
4. Provide for intensive care excess charges to be handled as hospital miscellaneous charges.
5. Increase surgical schedule from $550 to $650.
6. Increase anesthesia benefits to 25% on new schedule.
7. Continue insurance for pregnant female employes for five full months following month last worked, with provision for 14 days coverage of newborn children if birth occurs thereafter.
8. Provide maternity benefits under GA-23000 for female employes of hospital association railroads.
9. Add provision for new period of hospital confinement for both employes and dependents to begin after 30-day release from hospital.
10. Provide immediate reinstatement of insurance for returning veterans, with immediate maternity benefits for their wives.
11. Continue coverage for dismissed employes same as for furloughed employes, except that—
    a) not less than six months of employment prior to discharge, during which the employe qualified for at least three premium payments, will be required; and
    b) coverage for hospital association railroad employes will be provided under GA-23000, rather than through the hospital association, and will extend to sicknesses commencing and injuries occurring during the period of continued coverage.
12. Increase major medical payment for out-of-hospital psychiatric care from 50% to 65%.

The pact runs from March 1, 1972 to March 1, 1974. Under the settlement, the premiums paid for the policy coverage by the carriers are to rise from $41.03 a month to $51.95 on roads not having hospital associations, plus $2.52 per employe for on-duty injuries (up

from $1.63) effective as of March 1, 1972, and to $3.19 effective March 1, 1973, plus another 20¢ going into a special account, making a grand total of $55 to $56 a month.

On roads having their own hospitals, the amount to be paid directly by the carriers to the hospital associations goes up from $10.75 to $13.75 a month. In addition, they pay $38.03 per employe for the group policy coverage, and they are required to pay for furloughed employe coverage and on-duty injuries.

Life insurance coverage remains as now—$6,000 for active employes plus an additional $4,000 for accidental death and dismemberment, and $2,000 for retired employes.

It was estimated that the total two year cost of the new policy to the carriers will be approximately $620 million, compared to $480 million for the previous two years. Much of the increase represents higher costs of existing benefits.

January 2, 1973 Wage and Rules Movement

Formal notice was served January 2, 1973 on most of the railroads in the United States for improvements in wages and fringe benefits as follows:

1. Effective July 1, 1973—10% wage increase.
2. Effective July 1, 1974—10% wage increase.
3. Effective July 1, 1973, January 1 and July 1, 1974, and January 1, 1975, 2% wage increase for mechanics.
4. Cost of living adjustment effective October 1, 1973, and each quarter year thereafter, based on 1¢ per hour for each .3 of a point in the change in the Bureau of Labor Statistics Consumer Price Index above the base index figure for June 1973, except that it shall not operate to reduce established wage rates.
5. Compensation for employes subject to call, four hours pro rata for each regular work day, and four hours time and one-half for each rest day or holiday.
6. Increase overtime rates and allowances, effective July 1, 1973:
   (a) double time after 8 hours per day or 40 hours per week, with triple time to apply where double time does now. Double time for work on rest days, vacation or holidays.
   (b) minimum call six hours double time.
   (c) employe on double or triple time at beginning of his regular work period to continue on such rate.
   (d) monthly rated employe to receive double time for ordinary work outside assigned hours during assigned work week and on the sixth day of the work week.
   (e) monthly rated employe to receive double time for all emergency service in excess of hours contemplated in the monthly rate in any calendar month.
   (f) double time for hourly rated employe required to perform work outside his classification of work rule after assigned working hours during assigned work week, and on sixth day of work week.
   (g) employes to have bulletined assigned territories, and to receive additional half time for work off assigned territory during assigned hours of his work week, with a minimum of four hours for each work day so used.
   (h) double time for monthly rated employe used off assigned territory after assigned hours on assigned work days and on the sixth day of the work week.
7. Shift differential pay, 20¢ per hour 2 p.m. to 6 a.m.
8. Longevity pay, 2¢ per hour per year of service, with maximum of 50¢ per hour, effective to employes who on July 1, 1973 have had a continuous employment relationship with the carrier of one year or more. Rates thereafter to be adjusted on the anniversary date of the beginning of employe's last continuous employment relationship.
9. Interest on retroactive wage increases, 3% per month until actually paid.
10. Increase paid holidays effective July 1, 1973 by adding:
    (a) Columbus Day
    (b) Election Day
    (c) Day after Thanksgiving

    Monthly rated employes to have 24 hours pro rata pay added to the annual compensation, with day off without reduction in pay, or each such monthly rated employe required to work on a holiday shall be paid two times the pro rata for a minimum of 8 hours in addition to the monthly compensation.
11. Increase vacation as follows:
    (a) 4 weeks after 15 years service
    (b) 5 weeks after 20 years service
    (c) 6 weeks after 25 years service
    (d) double time for work during vacation, in addition to vacation pay.
12. Bereavement leave, effective July 1, 1973, four days because of death of member of immediate family, including spouse, father, mother, sister, brother, child, father-in-law or mother-in-law.
13. Travel time and expenses, effective July 1, 1973:
    (a) Weekend trip transportation furnished by carrier, or 15¢ per mile for use of personal automobile, plus straight time pay for time spent traveling.
    (b) Actual expenses for meals and lodging, this contemplates abolishment of camp cars, trailers and similar housing facilities, except on those car-

Walter W. Altus, Jr., is the Signalmen's Vice President assigned to the position of Labor Member National Railroad Adjustment Board, Third Division. Brother Walt, a member of M.P. Local 206, has served as Vice President since 1970.

riers who have voluntarily reached agreement with this Brotherhood under Article VI of the November 16, 1971 agreement; however, where such agreements refer to daily meal allowances under Award 298, such allowances to be changed: B 1, from $1 to $3; B 2, from $2 to $6; B 3, from $3 to actual cost of meals.

(c) Actual expenses away from headquarters point.

14. Revise February 7, 1965 Agreement effective July 1, 1973 to cover employes with 60 days or more employment relationship, with protected rate of pay of the last position held prior to becoming eligible for benefits hereunder.

15. Establish a uniformity of monthly rates effective July 1, 1973, before making wage adjustments requested herein, with a minimum of $5.52 for mechanics and $5.61 for all others.

16. Eight consecutive hours to constitute a day's work where one, two or three shifts are worked.

17. Meal period assignments, with regular meal period to be no less than thirty minutes established between end of the fourth and beginning of the sixth hour after starting work, with subsequent meal periods at four hour intervals after ten hours. If meal period is not afforded within specified time, it will be paid for at double time rate, and thirty minutes in which to eat allowed at first opportunity without loss in pay.

18. Eliminate differentials and establish a rule to incorporate such differential into the basic hourly rate of such positions.

19. Dues deduction agreement, effective July 1, 1973, without cost to the Brotherhood.

20. Officials and others in excepted positions to remain in good standing with the organization to retain and accumulate seniority or forfeit seniority.

In this case, the pace of negotiations was greatly accelerated compared to prior national movements. This was due to several extenuating circumstances, especially the financial condition of the Railroad Retirement system. In fact, even before our Section 6 notice was served on January 2, 1973, the subject of the Railroad Retirement system had been the topic of considerable discussion among the organizations and industry.

W. D. Best was appointed Vice President on December 1, 1972 filling the vacancy created by the passing of Vice President T. H. Gregg. Brother Best, a member of P.C. (former Pa.) Local 146, is assigned to the Mid-West Region and also serves as Director of Research at Grand Lodge Headquarters.

The Railroad Retirement Commission, established by Congress to study our retirement system, recognized that something must be done to preserve the financial security of the system. The labor organizations recognized that the employe's share of Railroad Retirement Tax was becoming too great a burden and that a different method of financing the system should be established. At the same time, railroad employes continued to press for earlier retirement.

Even though the railway labor organizations, including the Brotherhood of Railroad Signalmen, had been negotiating separately on wages and fringe benefits, except for our health and welfare program (Travelers), it was obvious that preservation of our retirement system would require the cooperative efforts of all organizations. Our Brotherhood, in cooperation with other labor organizations, scheduled a number of seminars throughout the United States beginning in November 1972, to explain the financial condition of the retirement system to all railroad employes and retirees.

We also explained what we expected to do in an attempt to lower the individual's tax share and lower the retirement age so that an employe with thirty years of service could retire at age 55 without reduction in his annuity. The urgency of the situation was due, at least to some extent, to the fact that there were more persons receiving retirement benefits than active employes paying into the system.

In the meantime, we discussed with the industry the possibility of finding a new source of income for the system, such as a new tax based on freight ton miles or something of that general nature.

We also proposed to decrease the employe's tax share, with a greater proportion to be borne by the industry. The industry appeared interested in this approach, and several meetings were held to discuss it. It was recognized that the retirement system involved complex legislation, and many changes in the financial structure would be necessary.

While the discussions concerning the retirement system were taking place, the various organizations served Section 6 notices for increased wages and fringe benefits, generally effective July 1, 1973. We arranged with most of the railroads to waive the initial conferences at the General Chairman level. We also held joint negotiating sessions with the industry and other organizations.

The National Railway Labor Conference proposed a relatively short-term settlement on this basis: (1) it would cover an 18-month period July 1, 1973 through December 31, 1974; (2) the total cost of wages and other benefits, including the industry assuming a greater share of the retirement tax, would be taken into consideration so that any retirement tax cost would be recognized as part of the industry's overall labor cost; (3) the industry would continue to finance the present Travelers contract through December 1974, with the same level of benefits, except for an increase in the total lifetime major medical benefits; (4) such settlement would cover all organizations; (5) the industry and the organizations would continue their discussions concerning the retirement system.

As a result of the foregoing discussions, a Memorandum of Understanding was reached on March 8, 1973, subject to the passage of appropriate legislation by Congress and necessary acceptance and ratification by the various organizations. That Memorandum of Un-

(Cont'd. on page 175)

Retirement Reminders

From the Office of R. T. Bates

SECRETARY-TREASURER

Railroad Retirement Notices

A NUMBER OF CHANGES IN railroad retirement benefits, particularly Medicare, resulting largely from legislation enacted in 1972, are taking effect this year.

The Railroad Retirement Board has consequently sent out a number of notices, enclosed with annuity checks, to explain these changes in provisions and what action is necessary, if any, on the part of the annuitants, to take advantage of any of the new provisions which might be applicable.

Notices mailed by the Board between March 1 and July 2 were released covering the following changes:

• Early Medicare coverage, starting July 1, was provided for disabled persons under age 65. Retired employes and widows qualify if they meet the requirements for a disability benefit under the Social Security Act. Most will be disabled annuitants, but they need not necessarily be in receipt of a disability annuity from the Board. If they are disabled, their condition must be severe enough to prevent them from working in any substantial, gainful employment in order for them to be eligible for Medicare. To qualify, retired employes must also have worked in at least 20 of the last 40 calendar quarters before their disability began. Disabled children, age 18 or older, can also be eligible for Medicare if their disability began before age 22, and their physical condition is such as to meet the standards for social security disability benefits.

Most of those who qualify for this early Medicare coverage have already been advised by the Board. They are being issued Medicare cards, and Medicare medical insurance premiums were deducted from their July 2 annuity checks. The others who qualify will hear from the Board as soon as possible.

Employe annuitants and widows not in receipt of disability annuities who have not been advised as to whether they are entitled or not, and who believe that they or their children might qualify, should contact the nearest Board office. Notices were issued to such annuitants advising of the eligibility requirements with instructions to contact the Board if they thought they might be eligible.

• Jurisdiction over Medicare for railroad retirement annuitants also receiving social security benefits was transferred to the Railroad Retirement Board from the Social Security Administration. Monthly Medicare medical insurance premiums are now being deducted from these annuitants' railroad retirement checks rather than their social security checks. This change has been effected in checks issued on April 1, or July 2.

• All monthly Medicare medical insurance premiums were increased effective July 1. The premiums of the majority were increased by 50 cents, from $5.80 to $6.30. Railroad retirement checks issued on July 2 reflected the increased premium deduction.

• Annuitants receiving supplemental railroad retirement annuities may not return to railroad service after their "closing date" or they forfeit their entitlement to this benefit. The closing dates in 1973 apply to those attaining age 66 during the year. The closing date for such individuals is the last day of the month following the month in which they attain age 66. On June 1, the Board mailed the schedule of closing dates for the last half of 1973 to annuitants for whom they are applicable.

In regard to supplemental annuities and Medicare, the Board encourages employes about age 62 or older, who are not sure of their age, to contact a Board office to establish their age for railroad retirement purposes now. This will protect them from losing their supplemental annuity eligibility through miscalculation and insure immediate Medicare coverage as soon as they are eligible.

• In addition to the 20 percent benefit increase granted in 1972, many widows are being provided an additional increase, retroactive to January 1973. The amount of the increase payable to individual widows who are eligible varies, depending on their age when they first received a widow's annuity and also on their deceased husband's age at retirement. The increase is not payable to any widows under age 60 or to most widows also receiving social security benefits.

Most of the eligible widows began receiving this increase in their checks issued March 1, or June 1. However, for a small number, increased payments will not begin until August 1 or later. In any case, the increase is being paid retroactive to January 1, and an eligible widow will not lose any benefits as a result of a delay in payment.

YOUR WASHINGTON Reporter

By R. E. Porter

PROBLEMS OF AMTRAK and of the bankrupt Northeast railroads moved toward the showdown stage during the past month.

On Amtrak, questions of funding and service were in the forefront. On the Northeast railroads, Congress sorted out differing proposals for solution of the plight of these carriers. Some of them came from major segments of railroad labor, others from the industry, government agencies and public organizations.

The least popular proposal was formally submitted by the Department of Transportation, along with accompanying legislation. This plan, highlights of which had been publicized in advance, calls for creation of a private Northeast Railroad Corporation, which would be empowered to "restructure" the bankrupt rail lines in the region down to a "core" system, with the abandonment of many thousands of miles of existing line.

The DOT measure, as submitted by Secretary of Transportation Claude Brinegar, called for a federal outlay of only $40 million to cover the "startup" costs of the new corporation.

Under the bill, the DOT would, within 90 days of enactment of the legislation, design a "core" service in the Northeast; allow the bankrupt lines to discontinue on 60 days' notice any service not included in the "core" system, and give the new corporation, also on 60 days notice, the right to discontinue any operations not likely to become self-supporting.

The DOT plan, in its final form, drew the same fusillade of attacks from members of Congress, rail labor, and others, as did earlier, tentative versions of the DOT program. They charged the DOT proposal constituted a meat-axe approach that would decimate service, wipe out thousands of jobs, and bring economic chaos to the Northeast.

* * *

Meantime, among other proposals put forward at Congressional hearings was one by Rep. Bob Eckhardt (D., Tex.), which would set up machinery for a government takeover of the Penn Central, and possibly of other bankrupt lines. This would be done via a Northeast Rail Authority.

Eckhardt stressed the necessity of preserving the railroads to meet the nation's transport needs, particularly as the highways become more congested and pollution grows.

Quizzed on the cost of nationalizing the PC, Eckhardt cited an estimate given by the carrier's trustees, of $12 billion to $14 billion, and he pointed out that this sum would be less than three years of government expenditures on the interstate highway system.

"A raise?... A raise?... Isn't that some sort of a crackpot phrase that Unions use, Miller?"

Rep. Brock Adams (D., Wash.), who has been active in the transport field, unveiled a revised plan for tackling the Northeast rail problem. He proposed creation of a semi-public corporation to take over both passenger and freight service in the Northeast. Previously, he had urged that Amtrak acquire the "Northeast corridor" for passenger service, and that a separate corporation be set up to handle freight routes. Adams said "it would seem more orderly" for a single semi-public corporation to take over both systems.

Also, his plan calls for federal funds and loan guarantees to insure continued rail service.

* * *

Among rail labor leaders who had testified on the Northeast rail situation up to this writing were President Harold C. Crotty, Maintenance of Way Employes; President Al H. Chesser, United Transportation Union; and L. E. Dennis, executive director, Railway and Airline Clerks. The Railway Labor Executives' Association is also to present testimony.

All of the rail labor leaders agreed on the need for government action to save as much of the Northeast rail network as possible; for adequate government funding to preserve and upgrade rail operations, and for full protection of employes adversely affected. However, they varied sharply on some specifics.

Crotty expressed "general support" for a plan proposed by the Interstate Commerce Commission, which would create a "federal aid rail network" in the Northeast out of the existing bankrupt lines, and provide the system with about $600 million a year in federal funds for the first few years. Much of this would be raised through a new one percent tax on all forms of commercial surface freight transportation.

Crotty cited various positive features of the ICC plan, in contrast to the "completely negative and defeatist approach" of the DOT. At the same time he proposed amendments to the ICC measure under which the federal-aid railroads could reduce their union employes only by attrition; cut positions only by agreement with the unions; change existing labor agreements only by negotiations; abide by federal laws affecting employes, and bar contracting-out of work, except by agreement with the unions.

Chesser proposed a "balanced program based upon the idea of a re-

structured public service system, joined with private enterprise." He would create a North East Transportation Commission to redesign the N.E. rail systems; establish new mixed corporations to run the bankrupt roads, and arrange for needed funding to do the job, including a one percent tax on surface freight transportation.

Also, under Chesser's plan, a state or local government could take over any branch lines not included in the main system by paying 10 percent of the maintenance costs, with the federal government paying the other 90 percent, similar to the 90-10 subsidy now in effect for federal aid highways.

Dennis submitted the most sweeping proposal—for a full government takeover of the bankrupt lines in the Northeast at their liquidation value. Only such an arrangement, he said, can "provide reasonable assurance of adequate service to shippers and any semblance of stability of the work force." This plan is embodied in a bill sponsored by Rep. Bertram Podell (D., N.Y.).

Dennis asserted that the other governmental plans for dealing with the N.E. roads would mean "dismantling of most railroad service in the Northeast," including abandonment of much of the trackage and loss of up to half the jobs.

* * *

As for Amtrak, its problems and prospects were considered at hearings conducted by the Senate Surface Transportation subcommittee. There, the main witness, President Roger Lewis of Amtrak, reported that rail ridership has shown an upturn after years of decline.

Also, he told of plans to spend $140 million in the next fiscal year for capital improvements on rolling stock, rights of way and other facilities, with the money coming mainly from government-backed loans. He described a large-scale refurbishing of present equipment, and a start on purchase of new cars and locomotives.

At the same time he said Amtrak contemplates dropping several money-losing routes, but Sen. Vance Hartke (D., Ind.), committee chairman, expressed strong opposition to such cuts, as did other senators. Hartke declared that Amtrak should be expanding instead of contracting service, and that government funds should be provided for this purpose.

Amtrak's record in the two years since the agency took over passenger service drew some sharp criticism from Anthony Haswell, chairman of the National Association of Railroad Passengers (NARP). Also, he called for continuation of the basic Amtrak system through 1977, without reduction.

Haswel urged removal of railroad presidents from the Amtrak governing board, and demanded that Amtrak move aggressively toward assuming direct control and operation of its passenger service with its own employes and supervisors.

Haswell charged that while a few railroads have done a "reasonably good job" in handling Amtrak trains, others have done poorly. He singled out the Southern Pacific as having performed "the worst job" and as having hampered Amtrak at almost every turn.

Also, he suggested an amendment to the Amtrak law whereby states could secure Amtrak service by paying one-third of the operating losses, instead of two-thirds as now. He proposed another amendment to give Amtrak trains priority over freight trains, except in emergencies.

Further, Haswell cited polls showing that the American public wants good rail passenger service and would support "major federal investment to make American passenger trains as good as any in the world."

Doctor to portly patient: "Follow this diet, and in a couple of months I want to see three-fourths of you back here for a checkup."

OSHA Head Points To 'Crucial' Labor Role In Job Safety And Health Program

THE LABOR MOVEMENT "has a crucial role to play to bring about on-the-job safety and health," John H. Stender, Assistant Secretary of Labor for Occupational Safety and Health, said in Seattle.

The two-year-old federal program "cannot ever hope to really do the job unless it has the full cooperation of the workers," Stender said.

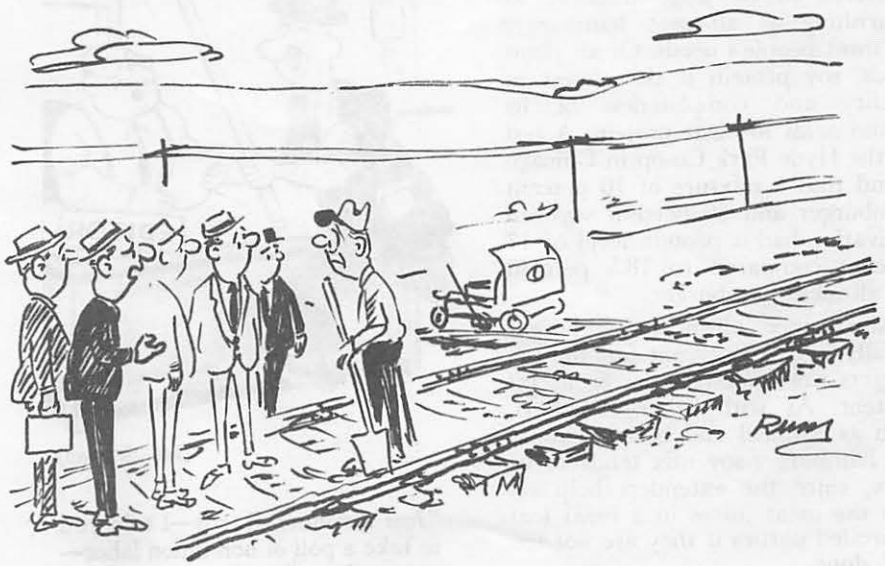
The Labor Department official made the remarks in a speech prepared for delivery before the Washington State Labor Council, AFL-CIO.

Stender was a Washington state senator and an international vice-president of the AFL-CIO Boilermakers prior to being named head of OSHA. The Labor Council hosted a dinner in Stender's honor.

Although guidance and direct help is being provided workers by the AFL-CIO, Stender declared, it is "up to the unions to encourage their members to learn about the safety and health standards and to cooperate with their employers and the Occupational Safety and Health Administration.

The new OSHA head said organized labor's responsibility "means informing working people about the Occupational Safety and Health Act so they can intelligently use it."

Stender said he hoped that Washington State's plan, which he helped design, would provide a model for other states. It is one of ten state safety and health plans so far approved by the federal government.



"How come you're not maintaining this track as well as the last crew did?"

By SIDNEY MARGOLIUS, for The Signalman's Journal

New 'Soy Burgers' Worth The Money?

STIMULATED BY THE HIGH price of meat, mixtures of hamburger with soybean flour are appearing in stores all over the country. The soy burger patties actually are the fastest-growing new food product in recent years and probaby the most useful *if* you don't get fooled by misleading names or too-high prices.

Hamburger with soy patties should cost significantly less. Many of the stores we have checked sell hamburger mixed with 25 percent soy flour for 15 to 25 cents a pound less than hamburger itself; for example, 69 cents a pound compared to 85 to 98 cents for hamburger.

Some stores have been selling the mixture for only 10 cents less than the price of all-meat hamburger, thus keeping for themselves a disproportionate amount of the saving from using the cheaper soy products.

What about the food value? I would consider the hamburger-soy mixtures to be approximately as nourishing as all-meat hamburger for most people's needs. Of all plant foods, soy protein is the closest in quality and completeness of its amino acids to meat protein. A test by the Hyde Park Co-op in Chicago found that a mixture of 70 percent hamburger and 30 percent soybean derivative had a protein level of 17 percent compared to 18.5 percent for all-meat hamburger.

Also, since all-meat hamburger usually is 25-30 percent fat, the soy burgers are somewhat lower in fat content. As with other extenders, such as oatmeal and bread crumbs, the hamburger-soy mix tends to be juicy, since the extenders help retain the meat juices in a meat loaf of broiled patties if they are not too well done.

The hamburger-soy mixture even may be a little healthier for some members of the family since its lower fat content means it has a little less cholesterol.

However, you can be fooled by some of the fanciful names being used. Some state authorities already have issued warnings. Kansas authorities complained about "Patti-Mix." The Los Angeles Health Department recommended that such mixtures should not be more than one-third soy protein. The Pennsylvania Agriculture Department complained that some products were being marketed under confusing names such as "newburger" and "superburger." Another chain has been calling its product "Juicy Burger 11."

In an effort to try to stop processors from using large amounts of the cheaper plant protein without revealing this use to consumers, the U.S. Department of Agriculture has proposed to set up two categories for such products. Products called "meat patties" would have to be made of ground beef plus up to 30 percent added fat plus seasonings. But patties with other ingredients such as soy products, cereals, meat byproducts and poultry products, would have to be called "patties with meat."

"Just a minute, Harris—I told you to take a poll of non-union labor—not a pole to them!"

This is a subtle distinction, but the USDA is going a step further. The "patties with meat" would have to list the actual percentages of all ingredients. This is the first time the USDA is requiring that percentages of the main ingredients of a processed food must be listed on the package.

This proposal is a real breakthrough for consumers who for some years have been pleading for such information on processed and ready-to-eat foods so they can know what they are buying.

If you want to see this proposal made effective, you can send your comments before July 6 to the USDA Hearing Clerk, Washington, D.C. 20250, in duplicate.

Can Mix Own

You also can buy soy products to mix with hamburger yourself. Some stores sell three-ounce packages of dry soy protein concentrate blended with wheat crumbs and seasonings which you mix with water. The mixture then is blended with a pound of ground beef, giving you 1½ pounds of hamburger-soy mix.

As we have advised before, you also can use oatmeal as a handy extender. It has relatively good-quality protein if not as high as that in soy products, and costs you only 2 cents an ounce compared to 6 cents for hamburger. Nonfat milk powder is an even more nutritious extender for patties, meat loaves and casseroles since its protein is the same complete quality as that of meat.

Unit pricing is one of the best things that has happened to consumers in recent years, says Bess Myerson. In a recent interview after she left her job as New York's Consumer Commissioner, Miss Myerson indicated that she feels her own most important achievement in four years of battling on behalf of consumers may well be the national attention she drew to the need for pricing by standard measures such as pounds, pints, quarts.

The confusion caused by trying

Chessie System Files Application With ICC To Abandon 125 Miles Of Track

THE CHESSIE SYSTEM (THE CHESAPEAKE AND OHIO AND Baltimore and Ohio railroads), announced that the B&O and the affiliated Western Maryland Railway filed an application with the Interstate Commerce Commission to grant Western Maryland trackage rights over 184 miles of B&O's tracks in Maryland, Pennsylvania and West Virginia. At the same time, Western Maryland filed to abandon 125 miles of duplicative and parallel trackage serving the same areas.

Under the plan, Western Maryland trains would operate over the tracks of B&O between Cherry Run, W. Va., and Connellsville, Pa., and between Cumberland, Md., and West Virginia Central Junction, near Piedmont, W. Va. Certain portions of Western Maryland's parallel lines would be retained to provide service to freight customers located on those segments. The two railroads lie closely together in most of this area on opposite sides of the Potomac River and the Youghiogheny River and its tributaries.

"No industry currently using Western Maryland's rail service, will be deprived of such service by the proposed charges," Mr. Hays T. Watkins, C&O/B&O president reported. Western Maryland's transportation service to the public will be preserved and strengthened by this action."

Mr. Watkins added:

"The improved efficiency resulting from the action requested in the application will produce significant savings that will be shared equally by Western Maryland and the B&O. The parallel lines of the B&O can easily handle the additional Western Maryland trains. At the same time, the Western Maryland abandonments will make available large tracts of land in the Connellsville, Cumberland and Ridgely, W. Va., areas for industrial development and other purposes."

The B&O and Western Maryland informed the Interstate Commerce Commission that they are willing to accept the same conditions for the protection of any employes adversely affected that were previously prescribed by the I.C.C. when the C&O and B&O were authorized to control the Western Maryland. C&O and B&O own 91.48 percent of Western Maryland's stock.

At the C&O annual meeting, Mr. Watkins told the shareowners that the planned joint use of trackage by B&O and Western Maryland was part of the "continuing progress in securing the benefits of railroad facility coordinations within the Chessie System." He said that other opportunities "to improve efficiency and save money through the coordinated activities of the railroads in our system are being progressed."

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to compare prices of bread, for example, with as many as six or seven different loaf weights confronting consumers in some cities, is well known. Or you may find such puzzlers as trying to compare the price of a 17-ounce can of corn for 25 cents with a 12-ounce can for 19 cents, or a 16-ounce can of peaches with the 29-ounce size. In fact, if you compare the actual unit prices on some products such as tomato juice, you can find variations of as much as 50 percent in the cost per quart.

The need for unit pricing was one of the first issues Miss Myerson raised. The New York State Food Merchants Association first fought the proposal tooth and nail, even going to court to try to block it. Later the merchants learned to love unit pricing, or at least live with it.

In several states and cities, unit pricing is now mandatory. But a number of supermarkets around the country do it voluntarily.

One problem is that sometimes the shelf stickers giving the price per pound or liquid measure are hard to read. Surveys also have found that low income consumers who may most need this comparative-price information don't use it as much as do middle and higher-income shoppers. Some shoppers may not understand what unit pricing is, and how to use it.

But determined former Miss America, who became one of the country's most effective consumer advocates, believes that consumers increasingly are using the unit prices to compare costs. In fact, one survey by a supermarket trade magazine found that 80% of the consumers interviewed said they considered unit pricing "very helpful."

W. R. Barber Retires From R.R.B.

W. R. (BILL) BARBER, ASSISTant to the Labor Member (Labor Relations), retired from the service of the Railroad Retirement Board effective June 1, 1973. He had more than 37 years of service with the Board at the time of his retirement since he entered the Board's service in March 1936 when the Board's organization first started functioning. His service with the Board included service as a claims examiner, unit supervisor, district manager in Chicago from September 1936 to November 1938, and 24 years as an attorney in the Board's legal department. In October 1962 he was appointed to his present position.

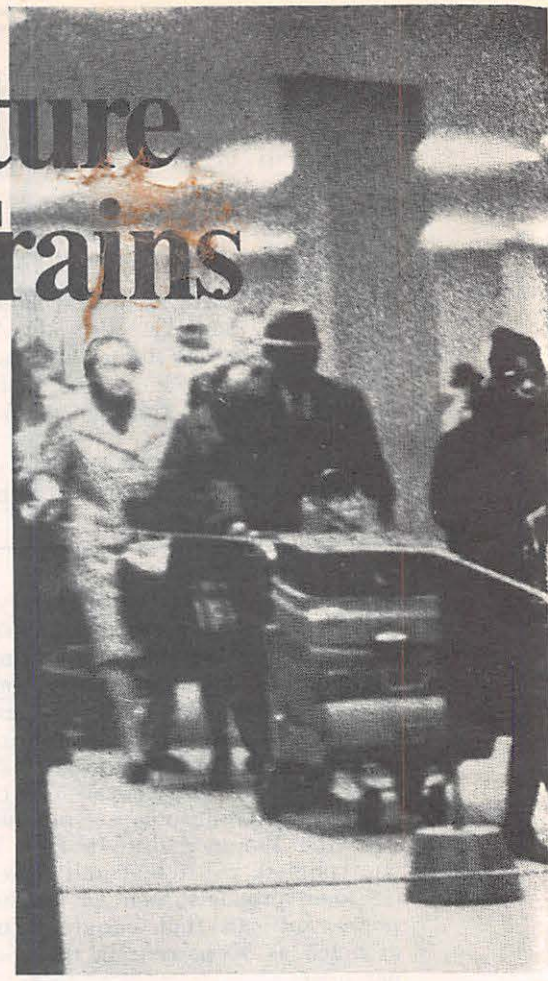
From September 1941 until January 1946 Bill was absent from the Board's service while serving in the U.S. Navy during WW II. At the time of his separation from the Naval Service he held the rank of Lieutenant Commander and was placed on the Naval Reserve Inactive List in 1963 as a Commander.

Bill had a total of 17 years of railroad service as a telegrapher for the Chicago and North Western Railway in Iowa and the General Office Telegraph Office "SJ" in Chicago. He also worked a short time as a telegrapher for the Illinois Central and the Colorado and Southern Railroads. He was awarded a life membership in the Order of Railroad Telegraphers in 1963, after 45 years of continuous membership.

Bill says he has formed a partnership with another retiring Board attorney and will "retire" to the general practice of law in Chicago.

THE FIRST TWO YEARS OF

Amtrak's Adventure With Passenger Trains



A look at the beginnings of the federal attempt to make travel by train popular and profitable.

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By H. ALLEN PERRY

As EVERYONE probably knows, Amtrak, a government corporation, took over the operation of most intercity passenger train service in the United States in May of 1971.

What it has done in two years to passenger rail service will be reviewed by Congress this summer. Then Congress will decide where we go from here, for Amtrak will need more money. Based on what Congress decides, Amtrak will go forward, backward or stand still.

Amtrak is very largely an experimental government-sponsored response to the beef that rail passenger service only died because the railroads put it to death. They wanted the freight and not the passengers (so the complaint goes) and virtually drove everyone to the airlines, buses and their own cars by giving the worst possible passenger service.

It is part of the complaint that if decent intercity rail passenger service were only offered, the public would return to train riding in such numbers as to make it pay again, some day.

Amtrak was given the job of proving or disproving this claim. Armed with several hundred million dollars, it was told to go out and offer good service and see if it could get the customers back. Its personnel is heavy with people with airline experience. Nobody expected it to produce miracles in two years, and Congress will be looking for a satisfactory progress report rather than any revolution in rail travel by June of 1973.

Amtrak started about as far behind the eight ball as you can get. In 1929, when hardly anybody rode airplanes, more than 20,000 well-equipped, well-maintained trains carried 77% of the traveling public between cities daily, while cars and buses carried most of the rest.

In 1970, when Amtrak was authorized, there were less than 450 intercity passenger trains in daily operation (we omit commuter trains which are not Amtrak's baby). A hundred of them were in the process of being discontinued. Most of them were undesirable accommodations on many counts and offered shabby service. The railroads' share of passenger traffic had dropped to 7.2% and most of them were working like mad to get that down to zero.

Amtrak inherited an unloved, antiquated shambles. It took over the management of most intercity trains. It bought the cars and bought and leased the locomotives. It had the use of the tracks and inherited the passenger terminals. Employees were hired directly or taken on under contract with the railroads.

Some 20 railroads cheerfully cooperated in the deal and got out of all intercity passenger service themselves.

Sixteen of them took cash and special tax deductions in payment for their equipment. Four—perhaps feeling that Amtrak might make a go of it—took common stock in Amtrak. They and the federal government are the sole owners of Amtrak.

Three major lines—Denver and Rio Grande Western, Rock Island and Southern Railway—stayed in the passenger business. They must continue their own service until at least 1975, when they can petition to discontinue. One supposes they are making or think they can make money carrying passengers. The Virginia to Florida Auto-Train, which carries passengers and their cars overnight from the Potomac to Sanford, Fla.—and is always booked up way ahead—is also an independent operation. Almost all other passenger trains in the nation except local commuter services are now run by Amtrak.

The railroads paid for being relieved of their own passenger service obligation and costs. It was figured that they lost $197 million in passenger service the year before Amtrak took over, so they paid one more year's loss to Amtrak—or $197 million. No sweat. They figured they'd lose more than that if they stayed in the business even one more year. The federal government added $40 million in seed money and $100 million in loan guarantees against new equipment. That came to $337 million and Amtrak had a borrowing capacity of another $100 million. It started life with just under half a billion dollars in all.

Taking a look at its needs and the size of the problem it faced, it started with a cautious step backward by cancelling more than half the routes it took over, chiefly big losers serving relatively small potential demands.

South Dakota and Maine ended with no intercity service, while various routes connecting two or more of the following cities were closed down: Milwaukee, Green Bay, Minneapolis-St. Paul, Duluth, Chicago, Portland (Ore.), Salt Lake City, Butte, Des Moines, Boston, Albany, Buffalo, Detroit, Cleveland, Toledo, Toronto, St. Louis, Cincinnati, Jacksonville, New Orleans, Savannah, Montgomery—and many others.

A new beginning was made up of 21 pairs of cities. The two in each pair became the opposite ends of passenger runs, while other cities along those routes were also served. Thus New York-Boston is a pair, as are New York-Washington, New York-Buffalo, New York-

Save Gas: Save Cash

LOOKING FOR WAYS TO save money? Don't overlook the dollars that go into your car's gas tank.

By changing your driving habits, you can cut that expense. Watch your gas bills go down as you follow the tips below.

(Actually, saving gas for the entire country is the goal of these tips. It's urgent for all Americans to help beat the gas shortage that is closing in on us.)

By saving gas, you save cash. Here's how you can save:

- Drive 10 miles below the top speed limit on super-highways (Tests show, for instance, that a '69 station wagon got 14.29 miles per gallon at 70 miles per hour, and 17.36 miles per gallon at 60—a 12 percent gain, which is a saving of more than 3 miles per gallon.)
- Have your engine well-tuned
- Have your tires properly inflated
- Don't fill your gas tank up to the neck (You risk losing gas when it overflows on hills or when heat causes gas to expand.)
- Accelerate gradually (When you first start your car . . . when you're going up a hill . . . when you're entering the stream of traffic.)
- Maintain a steady driving speed
- Cut your engine when waiting for a passenger to return to the car (Idling the engine wastes gas, creates unnecessary emission pollution.)
- Limit the use of your air conditioner and defroster
- Travel light (Extra luggage requires extra fuel.)
- If possible, try to obtain comparative shopping data by phone, instead of traveling from store to store
- Arrange car pools for commuting, running errands and transporting children.

By using these energy-saving measures, you can cut your gasoline bill by as much as 20 to 25 percent.

Above all, DON'T save gas by hoarding it in five-gallon containers. This is a serious fire hazard—whether in your car, your garage or your basement.

Instead, save gas the smart, safe way. Follow these tips.

The First Two Years of AMTRAK'S ADVENTURE WITH PASSENGER TRAINS

wiches. They could sleep bolt upright in non-reclining seats. Long-distance bus service owes much of its trade to the inconveniences the railroads heaped on economy-class travelers.

Like the airlines, Amtrak recognizes that the biggest mass business to be found is probably in economy-class travel, and if you want the business you ought to woo the customers instead of figuratively spitting on them. The following sales pitch in an Amtrak ad is essentially true, even if the prose is that of the adman.

"Coach passengers ride in spacious double seats which can be adjusted for extra comfort. Most long-distance trains have coaches with reclining seats and leg-rests. There are also trains with Slumbercoaches. These are available to coach passengers for a small extra charge. Coach travelers going short distances, in most cases, need no reservations. Reclining leg-rest seats for most long-distance coach trips are reserved in advance."

The ad has to use hedging phrases such as "in most cases," for Amtrak's changeover is not yet finished.

A Slumbercoach has other fancy names—Siesta Coach, Sleepercoach, Budget Coach, Budget Room Coach, Coach-Sleeper. The names all suggest that it is a new type of economy private room available for just a bit more than coach fare. And that it is—a tiny room, but a private room nonetheless, with the seat convertible to a bed; an upper berth; and a washstand and toilet.

TWENTY-TWO Slumbercoaches fit the space of ten first-class roomettes, which had been the minimum private accommodations since the vanishing of the old upper and lower berths on the aisle. Amtrak isn't kidding when it classes Slumbercoach passage as only a small add-on to coach travel. To ride an overnight coach seat from New York to Chicago you pay $42.10. You pay $7 more for a Slumbercoach ride, or $49.10. If a party of two occupies both berths, the extra charge over coach fare for two is $12.60 or $6.30 apiece. For a roomette, the total cost (one person) is $90.60.

A Greyhound bus trip, New York-Chicago, takes a few hours longer and is $3.85 under Amtrak coach fare.

When Amtrak took over, about 3,000 existing passenger cars were available. After inspecting them it accepted 1,277 of the best, which were the most modern even though their average age was 19 years. Except for Metroliners and TurboTrains, hardly any of the cars it bought were less than 12 years old.

It set out to renovate every one of them. In some cases, that meant gutting the insides and putting in new seats, new floors, new lighting, new bathrooms, etc. The job isn't finished yet, but nearly the whole fleet is expected to be refurbished by June 30. At that time, the air conditioning and plumbing should work, every seat should be comfortable, all broken windows and burned out light bulbs should be replaced and the decor should please. Amtrak says it intends to maintain them properly so that no such major renovation is ever needed again.

SOME CARS have been redesigned as better diners, Tavern Cars, entertainment cars with movies and TV, dome-roof coaches with deep seats, coffee-shop and lunch-counter cars, high-level diners, coaches and observation cars. Amtrak is also renovating 233 Diesel locomotives, most of which were old enough to be delivering only 75% of their designed power.

The corporation is not buying new equipment today. It can't yet afford it. Its redone cars are "like new." It looks forward to getting new cars and engines specifically designed for its concept of rail travel. When it gets new stuff, it will probably be similar to the Metroliner and TurboTrain in basic design.

Metroliners are new-design electrically powered trains which make the 240 miles between New York and Washington, with major stops in between, in about three hours, hitting all the speed the tracks will safely take. The equipment is leased from the maker, the Budd Company. There are 14 daily runs and ten on weekend days. They are about equal to plane travel in time, when travel to and from airports is considered. They are much more dependable than planes in bad weather. The fare is lower by train than by plane. On this line the track joints have been welded, and there's none of the usual clackety-clack. On all its lines, Amtrak has persuaded its engineers not to go bumping around as if they were pulling coal instead of people. You can expect that an Amtrak train will glide into normal stops and starts, often so smoothly you are unaware of a change.

The TurboTrains are more like jet liners than railroads. The gas-turbine engines, built in Canada by United Aircraft, could hit 172 mph if the roadbed would take it. They've been put in regular service between New York and Boston and are on regular runs in Canada between Montreal and Toronto. Two TurboTrains, and two similar trains made in France, will go into service on Chicago-Milwaukee and Chicago-St. Louis runs this summer. The Department of Transportation is in various stages of considering trains of the future that

could hit 300 mph on cross-country runs. If they ever become a reality they'll compete with planes in travel time on all except very long runs.

On short hauls, notes Amtrak v.p. Harold Graham (a former Pan Am executive), Amtrak's Metroliners already compete with airliners. As soon as more tracks can take average speeds of 100 mph, rails can be competitive on more runs of similar length as well. There is already a market for daytime or overnight trips of 600 to 800 miles among many people who are willing to take a little more time than planes take—if they can stay on the ground, avoid hijacking, be sure of all-weather travel, get on and off in midtown and escape the trips to and from airports. But most of this market still has to be resold on rail travel. Graham's job is selling.

The airlines have the fast long-haul market tied up. Trains are not competitive in speed on 2,000- and 3,000-mile trips no matter how you cut it.

The size of Amtrak's market for very long trips will depend on how many people will settle for more leisurely travel if they learn to fall in love with trains all over again. It has already found some of them. Among the thousands of people who will drive their cars long distances, there must be a big potential railroad market, given good economy class service. Amtrak foresees a growing tourist business, and intends to cater to it in every way it can think up. The company is thinking of copying the Virginia-Florida Auto-Train—only from Chicago to Florida, Denver or even Los Angeles. It has instituted a number of train tours and special packages. The successful Four Winds group tours of the nation in summertime now ride via Amtrak. Various special trains now take vacationers from California to Sun Valley, Reno and Las Vegas, and to ski areas in New England from the east coast. Amtrak has all kinds of schemes afoot to offer leisurely train tourism as part of larger tourist packages—some of which is also by car, plane or ship. It has instituted various family fares with stopover privileges and proposes to enlarge them. It is considering youth fares and senior citizen fares. It already has a deal whereby a party riding Amtrak from northern points to Miami can have a free car for a week in Florida.

It has initiated a honeymoon with travel agents, for whom many of the railroads couldn't have cared less a few years back. Last year, it hosted a visit of some 200 foreign travel agents to start working out rail trips as part of the visits of tourists from abroad. It issued promotional literature in four languages.

All these plans are based on its conviction that train travel in America can be made a joy again, and that Amtrak will make it so.

Amtrak was doomed from the start to operate in the red for a long time. It needs to be primed with public funds until it either earns its own way or is scrapped as a good try that didn't work.

It has to spend lavishly yet watch every penny and make sure its investments are ones that should pay off in the end. Its challenge was no job to be given to novices.

Organized under the Department of Transportation, with the official name of The National Railroad Passenger Corporation, its ten-man board of directors includes two railroad presidents, one railroad board chairman, a transportation union president, a former city transit authority president and a general who has headed logistics reviews for the Pentagon. Heading its operations is Roger Lewis, who has been president of General Dynamics, executive v.p. of Pan American World Airways, assistant secretary of the Air Force and a v.p. of Curtiss-Wright.

With the money it got, it couldn't build a whole new system but had to start by rebuilding the old. Its job is to make the annual deficits keep coming down, while building up the number of riders until at some future date the books can balance the other way. But progress had to be shown from the start if Congress were not to lose so much faith that it would stop the pump priming before the effort had been fairly tried. Instant progress is no easy trick when you take over a wreck, running hundreds of millions in the red, whose best customers long since stomped off in a huff.

After the first year, Congress authorized an additional $277 million, and increased the loan guarantees to keep Amtrak alive to June 1973. The picture was not then very rosy. It had been thought that Amtrak would only lose $110 million the first year, but the deficit ran to $153 million. As we've noted, the changeover year was worse, not better, for passenger trade. Even so, Amtrak was losing money slower than the railroads had been. The goal for 1972-73 is more realistic. The expected loss is $128 million. But Amtrak will be responsible for relieving John Q. Public of a good piece of this. Freed of their losses, the railroads are going to be paying more taxes. Probably between $60 and $80 million will flow into the Treasury from them, with no deductibles for huge losses in passenger operations.

"How come she makes human errors and I make stupid mistakes?"

AMTRAK is looking to 1974 as the first year since God-knows-when that the rail passenger loss in the United States will be under $100 million—and in a year when those who want to ride will have better rather than worse service.

If the losses keep shrinking while more people ride trains and like it more, Congress and Amtrak will keep looking to the day when passenger haulage pays its own way. But Congress is not committed to Amtrak as anything but an experiment, and could junk the whole thing if the trend toward black ink seems to falter.

One suspects that Congress will view the first two years as very good progress indeed, when it considers priming the pump again for 1973-74. Since President Nixon proposed to include some Amtrak funds in those he would impound, opposition Congressmen may be expected to champion Amtrak more vociferously than they might otherwise—in the growing battle between the Hill and the White House over spending funds. They can make a good case that Amtrak is a goose that is straining mightily to lay a golden egg, and shouldn't have its feed cut off while it is in labor. THE END

PC Makes Loan Application For Funds To Repair Damaged Line

PENN CENTRAL HAS PETITIONED the Federal District Court for permission to apply for and obtain a $17,338,504 Federal loan for restoration and repair of facilities and equipment damaged as a result of Tropical Storm Agnes last June. If the loan application is approved by the Federal Railroad Administration and the District Court, $13,486,504 already spent by the Trustees for such repairs would be available immediately to reimburse the Trustees.

Federal Judge John P. Fullam has permitted the Trustees to file a loan application with the FRA.

The Trustees stated that they are seeking the total amount for which Penn Central is eligible under the Emergency Rail Facilities Restoration Act passed by Congress last year.

The petition states that agreement has been reached with the Delaware & Hudson Railway Company, subject to Court approval, for Penn Central to withdraw its application to the Interstate Commerce Commission to abandon the Wilkes-Barre line in eastern Pennsylvania, and to repair it for restoration to service at cost of $275,000.

Delaware & Hudson has agreed to pay Penn Central $10 per freight car, in addition to Penn Central's normal portion of interline rates, for traffic moving over the restored branch via the Wilkes-Barre interchange between the two railroads. This traffic is now moving over a parallel Erie Lackawanna line in D&H trains between Sunbury and Wilkes-Barre, with Penn Central paying the cost.

The Trustees also asked the Court, pursuant to the emergency loan act, to direct them to offer to convey damaged lines not scheduled for repair under the loan program, to any interested state or state subdivision which proposes to restore for service. The railroad would be compensated for the line if the Court approves the conveyance.

The Trustees said they have reached tentative agreement with the FRA for repayment of the loan over a 20 year amortization period. Payment of both principal and interest would be deferred for the first two years. Thereafter, payment of principal would be 4 percent of the total principal annually, with a final payment of 20 percent at the end of the 20 year period.

However, the repayment schedule would be subject to reassessment at the end of the two-year deferral period to determine whether further deferral would be warranted.

The rate of interest would be determined by the Secretary of Transportation, but would not be in excess of 6 percent annually.

The Trustees have advised the FRA that the security for the loan should be no higher than the status of a pre-reorganization creditor whose base claim ranks ahead of unsecured pre-reorganization creditors but behind secured creditors. The act permits the government to accept such security status.

Of the $13,486,504 already spent by the railroad as a result of the flood, $5,762,684 was for rebuilding bridges, $4,794,841 for track, signal, bridge, building and electric traction equipment repairs on more than 90 lines of railroad, and $2,928,979 to repair damaged locomotives and freight cars.

The additional amount involved in the loan includes approximately $3,027,000 to complete rebuilding of the Shocks Mill bridge across the Susquehanna River, a key freight route on which about $4.5 million has already been committed; $275,000 for restoration of the Wilkes-Barre line, and $550,000 for cleaning about 500 miles of ballast under flooded tracks to provide for adequate drainage.

"When I told that new Trainmaster I needed help to lighten my work—he brought me THIS!"

Railroads seek Additional $84 Million From Amtrak

RAILROADS CARRYING AMtrak trains—currently paid on an "avoidable loss" basis—now want an additional $84 million per year, according to Stephen Ailes, president of the American Association of Railroads.

Money-losing Penn Central is asking an additional $32 million annually to operate Amtrak trains on its rails. The request is now being considered by the Interstate Commerce Commission.

If Penn Central wins its case in the ICC, there is no doubt that at least 11 other railroads will be right behind seeking to participate in the money grab.

Mr. Ailes told a Senate committee recently that "Our rough figures indicate that payments to these 11 roads (excluding Penn Central) under the present interim basis, fall below full costs by approximately $52 million on an annual basis."

NARP is fighting the Penn Central case before the ICC, and will also contest the myopic, rapacious request of the "Pork Barrel eleven" if necessary.

In a statement filed at ICC by Chairman Anthony Haswell, NARP charges that Penn Central, having elected to join Amtrak to be relieved of what the railroad then claimed to be staggering losses from passenger train service, now wants to make a profit on Amtrak.

"The profit which Penn Central now seeks is entirely inconsistent with the Amtrak law," Mr. Haswell said.

"These additional monies would not buy a dime's worth of new equipment or improved track and roadbed; they would simply enrich the railroads for the far from satisfactory service they are now providing for Amtrak," Mr. Haswell's statement continued.

Currently, Amtrak pays railroads enough to cover costs tied entirely to passenger service, plus an additional five percent to help cover "avoidable" expenses, i.e., those that could be eliminated if the passenger trains stopped running.

Penn Central says it should be paid on a "fully allocated" basis, i.e., that Amtrak should share all costs of facilities used for both freight and passenger service.

Mr. Haswell argues that it was the intent of Congress, in adopting the Amtrak law, to focus on the "avoidable cost" concept to the exclusion of any other specified concept.

Senate subcommittee hears 2 viewpoints

AAR Chief, NARP Chairman Testify At Hearings On Future Of Amtrak

AAR's viewpoint

TWELVE RAILROADS ARE, in effect, subsidizing Amtrak in the amount of about $52 million a year and thus are "paying twice" for the privilege of terminating intercity passenger service, the president of the Association of American Railroads said.

Testifying before the Surface Transportation Subcommittee AAR President Stephen Ailes said a $93 million Federal grant provided in an Administration proposal to underwrite Amtrak's losses from operations in the 1974 fiscal year is "inadequate for the operation Amtrak plans to conduct."

Ailes pointed out that the $93 million estimate is based on continuance of the present basis of compensation by Amtrak to participating railroads.

However, he said, "the railroads are underpaid for their services and the use of their facilities by Amtrak."

Twelve railroads now operate intercity passenger trains under contract to Amtrak. They are compensated on a basis of solely related costs, with minor modifications.

The railroads agreed to these terms to further the purpose of the Rail Passenger Service Act of 1970, Ailes told the subcommittee, and to permit Amtrak to undertake passenger service on a timely basis.

"It was agreed by the parties that the initial basis of compensation would apply for an interim two-year period, and that it would be subject to a redetermination, as stipulated in the Agreement, to become effective on July 1, 1973," he explained.

The industry spokesman emphasized that, under the provisions of the Act, participating railroads have made, and are continuing to make, substantial contributions to Amtrak. He cited payments aggregating nearly $200 million as the "price specified by the Act" for relief from the responsibility of rendering intercity rail passenger service.

It is clear, he added, that "no further financial obligation upon them was intended by Congress."

"Amtrak pays market rates for services and facilities it obtains from all other sources," Ailes stated. "The participating railroads cannot be expected to continue to accept the present solely related cost basis for long. Adjustment of the projected general appropriation authorization to reflect a proper compensation basis after July 1, 1973 is essential."

In another portion of this statement, the AAR president reiterated a suggestion—made in recent statements to a House subcommittee and to the Interstate Commerce Commission—that Amtrak take over the Northeast Corridor.

He said the corridor is extremely important to Amtrak, but that passenger services in the corridor during 1972 fell substantially short of providing adequate compensation to the Penn Central, which operates Amtrak and commuter trains in the area.

Ailes proposed formation of a Northeast Corridor Corporation to acquire railroad facilities in the corridor and provide Amtrak with access to them. Private railroads would handle freight operations on parallel trackage, thus releasing the corridor for "virtually exclusive use of rail passenger operations" and permitting "innovative techniques" in modern rail service to be tested.

He said a solution to the corridor problem is regarded as one of the basic conditions for a successful reorganization of the Penn Central and an essential part of any solution to the Northeastern railroad problem generally.

The AAR chief also suggested changes in a proposal that would give broad powers to Amtrak for the acquisition of property.

He said the railroads do not oppose powers by which Amtrak could obtain needed property. However, he explained, the proposed bill "appears designed to place the entire burden of proof, not upon Amtrak as the condemner, but upon the railroad as property owner. This is contrary to concepts of the power of eminent domain."

In closing, the AAR president emphasized that "it has been the universal policy of all the participating roads to cooperate with Amtrak in every way possible and to live up to the fullest extent possible with the intent and provisions of the contract."

Noting that "it is to the benefit of our industry that the Amtrak experiment should succeed," Ailes concluded, "We want to do our part."

NARP's viewpoint

CONTINUATION OF THE National Railroad Passenger Corporation (Amtrak) basic system of train service through 1977, and removal of railroad presidents from the Amtrak board were recommended by the National Association of Railroad Passengers (NARP).

Testifying before the Surface Transportatiton Subcommittee of the Senate Commerce Committee, Anthony Haswell, chairman of

NARP, said Amtrak has not complied with a 1972 law which required that, insofar as practicable, Amtrak should directly control and operate its own service with its own employes and supervisors.

"A few railroads like the Milwaukee Road, Union Pacific and C&O/B&O have done a reasonably good job for Amtrak. However, the record as a whole for all railroads compels the conclusion that, in general the railroads are not satisfied with being relieved of the financial obligations of passenger service but want the trains physically removed from the tracks," Haswell told the subcommittee.

Haswell singled out the Southern Pacific for the "dubious distinction" of doing the worst job for passenger service, despite its status as "one of the wealthiest railroads."

"Southern Pacific has sturdily resisted the initiation of any new Amtrak service over its lines . . . opposed the operation of special trains over lines not served by Amtrak regular trains . . . refused to allow Amtrak to use its San Antonio station for the new Laredo-Ft. Worth train (even though the station is already used by the Los Angeles-New Orleans train) . . . refused to permit Amtrak to operate a West Coast "auto train" . . . refused to allow use of standard dome cars on the High Sierra route (one of the most scenic in the nation) . . . frequently ran late trains (during March, 1973, 19 percent of all delays were due to freight train interference) . . . and limited Amtrak trains to 70 miles per hour, despite the fact that the SP track is in excellent condition," he said.

Other railroads severely criticized by Haswell were the Missouri Pacific "which gives Southern Pacific a good run for number one anti-passenger position"; Burlington Northern "whose track between Chicago, Omaha and Denver is becoming increasingly rough-riding and derailment-prone"; Penn Central "due to financial penure and/or demoralized management and personnel"; and Illinois Central Gulf—"roadbed is even worse than that of Penn Central."

Haswell suggested an amendment which would enable individual states to obtain Amtrak service by paying one-third of operating losses, rather than two-thirds, as at present. "This is the same state-federal funding ratio as that provided for urban mass transit and for federal-aid highways other than the Interstate System. The present ratio is the principal obstacle in the path of greater state use of the Amtrak Law," he said.

He also recommended an amendment which would give Amtrak trains preference over freight trains, except for emergencies and unless the Secretary of Transportation has issued an order to the contrary for good cause.

"This amendment is necessary because of the continuing efforts of the Southern Pacific, Missouri Pacific and other railroads to impede the expeditious and dependable movement of Amtrak trains," he said.

"Rail passenger service is a vital necessity," the NARP chairman stated. "Amtrak is the ideal concept for providing that service, but its performance up to now has been woefully deficient.

"Since the Congress is putting up the funds for Amtrak, Congress must see that the funds are being effectively utilized.

"If Amtrak does not achieve direct control of its operations with its own employes and supervisors, it will remain little more than a disbursement agency for railway subsidies.

"At the same time, railroad performance will always be inferior, because the railroads have no interest in providing passenger service and they can evade responsibility by pointing to Amtrak as the entity legally responsible, even though it has no control over operations," he concluded.

Haswell also quoted a Harris public opinion poll which indicates that the public wants good rail passenger service and is willing to make a "major federal investment to make American passenger trains as good as any in the world."

C&O Forms New Corporate System

CHESAPEAKE AND OHIO Railway Company, which traces its history back to a canal company founded by George Washington in 1785, got a delayed corporate parent—Chessie System, Inc.

Issuance of a certificate by the Virginia State Corporation Commission in Richmond on June 15 was the final step in creating the parent company for C&O and its subsidiaries, including the Baltimore and Ohio Railroad, the nation's first railroad.

Hays T. Watkins, president and chief executive officer of Chessie System, Inc. and C&O, said, "The answer to the delayed 'birth' of a parent for C&O can be summed up in a few words. Good as C&O's performance has been over the years, we think it can be even better under the new arrangement.

"Chessie System, Inc. will enhance management's ability to develop fully the economic potential of a pool of assets totaling some $2.6 billion. The concentration of assets according to functional groups, each group controlled directly by the parent company, will permit more efficient administration and the greater realization of developmental possibilities."

Starting on June 18, Chessie System, Inc. shares were traded on the New York Stock Exchange in place of shares of the Chesapeake and Ohio Railway. However, all C&O shares automatically represent an equal number of Chessie System, Inc. shares. It will not be necessary, therefore, for the 90,000 C&O—now Chessie System, Inc.—shareowners to surrender their present stock certificates.

C&O as a wholly-owned subsidiary of Chessie System, Inc. will continue to do business under that name. It and the affiliated B&O also will continue to be known as a transportation system under their short name of Chessie System.

The parent company board of directors consists of the same persons who also constitute the C&O board. The parent company's ten corporate officers continue to hold the same positions with C&O.

"Chessie System, Inc. has the broad and diversified powers of a general business corporation," Mr. Watkins said, "with the power to invest in industrial, mineral, commercial, financial, transportation and other enterprises. Thus it is not precluded from conducting business in many fields where C&O, as such, has been precluded because it is a railroad.

NTSB Recommends Changes in the Handling Of Munitions

THE EXPLOSION OF 12 CARloads of bombs in the Southern Pacific Transportation Company train near Benson, Arizona, is being investigated by the National Transportation Safety Board. This accident involved the transportation of military munitions containing a mixture of trinitrotoluene and aluminum powder. This mixture or variations thereof have been involved in three explosions in rail transportation of which the Safety Board is aware, including the explosion at Benson on May 24, 1973; an explosion at Roseville, California, on April 28, 1973; and an explosion at Tobar, Nevada, on June 29, 1969.

At this time, it has not been determined what probably caused the explosion at Benson. Until the investigation can be completed and this determination made, NTSB cannot make the final or the most efficient recommendations to prevent future accidents of this nature. However, it appears that specific actions should be taken even before the investigation is complete to reduce the possibility of the exploding of these munitions in transportation, and to reduce the effects of such explosions if they occur.

Explosions can occur when the cargo is exposed to excessive heat. One source of excessive heat in rail transportation is the overheating of friction journal bearings, and the burning of oil and pads used in lubricating friction bearings. Roller bearings are less likely to overheat than friction bearing on railroad cars. The elimination of lubricating devices and free oil in friction bearing assemblies would minimize the likelihood of open flames should the bearing assemblies overheat.

Another source of excessive heat occurs during brake applications or when brake shoes are dragging significantly. Cars equipped with standard cast iron brake shoes experience higher wheel temperatures during such braking operations than cars equipped with composition brake shoes. In addition, cast iron brake shoes produce a "sparking" phenomenon, during which hot metal occurring at the face of the brake shoes can be thrown against the car body. To minimize the temperatures attained during braking operations and to minimize the possibility of sparking, the use of composition brake shoes is desirable.

The Safety Board has no direct evidence of overheating of friction bearings, heating from brake applications or dragging shoes in this accident. Nevertheless, these conditions are possibilities.

Some railroad cars are equipped with "spark shields" to prevent brake shoe sparks from striking the wooden floors. Such spark shields are installed on many box cars of the type used to transport the munitions. Their presence reduces the likelihood of car floor fires.

In addition to reducing the likelihood of overheating of such cargoes, efforts to reduce the effects of the explosions, when they occur, appear necessary. In both the Benson and Roseville explosions, the cars containing the munitions were located in consecutive order within the trains. In both instances, the explosions progressed through the adjacent cars until the munitions in all cars had exploded. At Tobar, Nevada, the chain of explosions terminated when the next car in the chain contained a nonexplosive cargo. This indicates that separation of the cars carrying explosives in trains would reduce the magnitude of the total damage by reducing the probability that explosion would spread to other cars, irrespective of the initial cause.

For transportation, munitions are heavily braced with wood dunnage inside the railroad cars. Of the 13 cars shipped in this case, one car was delayed en route, and the other 12 were destroyed at Benson. Observations of the surviving car indicated that minor shifting of some of the dunnage had occurred in transit, and that the floor was damaged. There has been one instance in recent years in marine transportation when dunnage failure preceded a low order explosion. While dunnage failure has not been determined to be a factor in the Benson accident, increased surveillance of the loading and bracing of such shipments would nevertheless appear desirable at this time. Increased surveillance of the loading and bracing of such shipments of these cargoes would reduce the possibility that cargo might be shifting, with undesirable consequences, in rail shipments.

In view of the foregoing, and until its investigation of the Benson accident is concluded, the National Transportation Safety Board recommends that the Federal Railroad Administrator:

1. Issue temporary regulations requiring the use of cars with roller bearings and either composition brakes shoes or spark shields for the rail transportation of military explosive munitions of the type involved in the Tobar, Roseville, and Benson explosions.
2. Require, on a temporary basis, the placement of at least one "spacer" car not containing materials regulated under 49 CFR 172-177 between cars of munitions when munitions are en route between origin and destination in railroad transportation service.
3. Increased inspection and surveillance of the car selection, loading and transportation of military explosives of the type involved in the Tobar, Roseville, and Benson accidents, enlisting the assistance of the Bureau of Explosives and the Department of Defense, as necessary, to assure conformance of such transportation with current regulations and best known safety requirements.

Three Years of Progress

(Cont'd. from page 158)

derstanding, approved by an overwhelming majority of the General Chairmen of this organization, is quoted below:

Memorandum of Understanding

A. **Railroad Retirement Legislation**

The carriers and the railway labor unions will jointly support legislation which will accomplish the following:

(a) The temporary benefit increases of 1970, 1971 and 1972 (P.L. 91-377, P.L. 92-46, and P.L. 92-460, respectively) scheduled to expire June 30, 1973, will be extended through December 31, 1974.

(b) A joint Standing Committee consisting of members representing the railway labor unions and the carriers will be established to consider all of the matters relating to restructuring the Railroad Retirement System, including but not limited to such matters as financing the deficiencies, dual Railroad Retirement and Social Security benefits, adoption of a two tier system (i.e., a Social Security tier and a supplementary Railroad Retirement tier), restructuring of the benefit formulas, consideration of any matters considered by the Commission on Railroad Retirement, and any other subjects which the parties may propose. The joint Standing Committee will report to the Congress by July 1, 1974. If the joint Committee cannot agree on a joint report and recommendations, the railway labor unions and the carriers will submit ex parte reports to the Congress by July 1, 1974.

(c) The Railroad Retirement Tax Act to be amended to provide that commencing October 1, 1973 the employers will assume the 4.75% of the employee taxable compensation in excess of the 5.85% employee Social Security tax (a maximum of $42.75 per employee per month in 1973, and a maximum of $47.50 per employee per month in 1974).

(d) The Railroad Retirement Act to be amended to provide that commencing July 1, 1974 employees with 30 years of service and attained age of 60 may retire without actuarial reduction in their annuities.

(e) If during the period July 1, 1973 through December 31, 1974 the Social Security Act is amended to provide for increased benefits, the dollar amount of such benefit increases will be "passed through" to the Railroad Retirement benefit structure effective on the same date or dates the Social Security benefits are increased.

(f) Except as specifically provided in this Part A, neither the carriers nor the railway labor unions will propose or support legislation seeking changes in benefit levels or new types of benefits to become effective prior to January 1, 1975.

B. **Collective Bargaining Agreements**

1. Separate but substantively uniform national collective bargaining agreements will be entered into on behalf of the carriers represented by the National Carriers' Conference Committee and the following named railway labor unions:

Date of 1971-72 Agreement	Railway Labor Unions	
2/10/71	BMWE-H&RE	
2/25/71	BRAC	
3/24/71	UTSE	
4/20/71	ATDA	
4/23/71	RYA	
5/13/71	BLE	
10/7/71	4 Shop Unions	5 Shop Unions IBB&B, BRCA, IBEW, IAM, IBF&O
2/11/72	IBF&O	
11/16/71	BRS	
1/27/72	UTU	
5/12/72	SMWIA	

2. All national collective bargaining agreements will dispose of the current national notice and local notices covering the same subject matter, and will:

(a) Provide for a general wage increase of 4% effective January 1, 1974.

(b) Provide for cost-free dues checkoff provided that checkoff amounts may be changed not more often than every three months, authorizations to be received at least 30 days in advance of first checkoff, parties to make determination as to whether checkoff will be uniformly made on the first or second half payroll. The provision also will include suitable priorities, and a savings clause.

(c) Contain a moratorium provision which will permit notices to be served not earlier than July 1, 1974, but not to become effective prior to January 1, 1975. Each of the moratorium provisions will be patterned after the respective moratorium provisions contained in the agreements enumerated in paragraph 1 above.

(d) To the extent that either the affected unions or the National Carriers' Conference Committees desire, will provide for Standing Committee type procedures during the eighteen months' term of the moratorium.

3. A separate agreement involving the parties to the Agreement of February 24, 1972 will provide for an extension in the term of the National Hospital, Medical, Surgical and Group Life Insurance Agreement from its current expiration date of February 28, 1974 to December 31, 1974 and will establish a maximum lifetime major medical benefit of $250,000 effective July 1, 1973. No other benefit changes will be made prior to January 1, 1975—the carriers to pick up any necessary increase in premium cost for existing benefits during the ten months' extension.

4. The carriers and the operating organizations to work out a provision to be included in their agreements providing for an extension of the Standing Committee

J. W. Walsh, Jr. is a Grand Lodge Representative assigned to Headquarters. Brother Walsh is a member of P.C. (former New York, New Haven & Hartford) Local 5. One of his main duties is to edit the Signalman's Journal, a position he has filled since 1968.

procedures. Such provision will permit the carriers and each union to serve national (but not local) Section 6 notices on the matters now before the respective Standing Committees if either party decides that the Standing Committee procedure should no longer be continued.

5. The provisions of this Part B are contingent upon the enactment of legislation accomplishing the purposes specified in Part A hereof.

Note: Further consideration to be given to Steel Roads and situations where a wage moratorium extends beyond June 30, 1973.

Training for Local and General Committee Officers

On October 21, 1972, we initiated a two part training program at Grand Lodge Headquarters for Local and General Committee officers. One part held for financial secretaries included instructions on the handling and reporting of financial matters. The other part held for Local and General Chairmen included instructions on the handling of claims and grievances. A similar claim and grievance handling training session was subsequently held at several General Committee meetings, though their agendas did not permit a sufficient amount of time to cover this subject in detail. Nevertheless, even the short sessions were well received.

As a result of our initial experience, we scheduled a two-day seminar on claim and grievance handling in St. Paul, Minnesota, on December 11 and 12, 1972 and one in Los Angeles, California, March 30 and 31, 1973.

These training sessions were well received by those who attended. We expect to continue this program, perhaps at an accelerated pace, as time permits and sufficient interest is shown to justify holding similar seminars at different locations. The continuance of these training programs is more important than ever, particularly because the duties and responsibilities of our Local and General Committee officers continue to increase.

G. F. Harper is a Grand Lodge Representative assigned to Headquarters. Brother Harper has served as a representative since 1970 and is a member of Southern Local 49. His main duty is the preparation of cases for the N.R.A.B.

Civil Rights Act of 1964
Jacksonville Terminal Case

Early in 1970, the U.S. Government filed a complaint in U.S. District Court jointly against the Jacksonville Terminal Company and railway labor organizations, including the Brotherhood of Railroad Signalmen, charging discrimination against members of the negro race in hiring, training and promotion of employes.

On March 4, 1970, the court ruled that the Government had failed to prove its case and set hearing on April 2, 1970 to consider the proposed findings, to hear argument and consider whether or not the defendants were entitled to attorneys' fees.

On May 5, 1970, the court issued detailed findings of fact and conclusions of law, holding that neither the carrier nor the unions had violated the Civil Rights Act. However, the case was appealed to the U.S. Court of Appeals. On August 31, 1971, that court handed down its decision, affirming in part and reversing in part, then remanded the case to the lower court with instructions.

A petition for rehearing, filed with the Court of Appeals, was denied. Defendants' petition for certiorari with the U.S. Supreme Court was denied, leaving the decision of the Court of Appeals standing.

A proposed decree by the District Court was substituted, after which counsel for all parties submitted recommendations on the provisions of a final decree to be entered by the court in conformity with directions of the Court of Appeals. The final decree, when issued, may affect existing seniority rights of employes in all crafts as the Appeals Court decision directs that employes be permitted, subject to certain restrictions, to apply for positions across craft lines and for certain portability in seniority rights.

Signalmen's Political League

The anti-labor forces of the country, financed by the apparent bottomless coffers of the business world, are continuing as never before to break the unions and return the country to the master-slave concept. Despite such efforts, the labor movement has friends in the political arena. We must work to keep them there and have them joined and/or replaced by others of the same caliber.

During the past several years, and especially during the events surrounding our May 17-18, 1971 strike, we received firsthand knowledge that we have some friends in Congress, and some enemies.

Campaigning for public office is an expensive operation. Unless the friends of labor receive sufficient financial assistance in their quest for public office, we face the possibility that only the friends of big business can afford to run for public office and campaign effectively.

In recognition of the foregoing, and as we are prohibited from using union dues for political campaigns, we established the Signalmen's Political League, which is financed 100% by voluntary contributions. Such a fund may be used for political purposes, though we are required to account for it, including a report of all contributions made.

While we recognize that the size of our membership will limit the amount we can expect to obtain for this fund, this is a worthwhile venture that should be supported by every member.

Receipts during 1972 permitted us to make contributions to some of our friends seeking election to Con-

gress, and we feel that our contributions were partly responsible for their success.

We respectfully urge each and every member to join the Signalmen's Political League, and to renew his membership annually. This is a small thing to ask with rewards that cannot be measured in dollars and cents.

ACTIVITIES IN CANADA

On November 1, 1970 the Associated Non-Operating Railway Unions served notice on all Canadian Railways except the Quebec North Shore and Labrador Railway, for a revision of agreements. Our Brotherhood, as in the previous two wage moves, was associated with BRAC, TCEU Division of BRAC, BMWE, Canadian Brotherhood of Railway, Transport and General Workers, UTW, IBF&O and the BSCP. The Shop Crafts served a separate notice.

Our notice contained the following demands: Wage increases, 8% plus 15¢ per hour effective January 1, 1971, and 7% plus 15¢ effective January 1, 1972; additional skill pay for skilled employes; premium payment of 20¢ per hour for employes working regular shifts between 6 p.m. and 6 a.m.; double time with a minimum of four hours for overtime worked; accumulated sick leave; improvements in the Health and Welfare and Weekly Indemnity provisions; life insurance increased to $10,000 with $3,000 carried into retirement at no cost to the employe; improved vacations; two additional statutory holidays (to 11); a no-contracting-out agreement; time and one-half for waiting and travel time outside of regular working hours; full expenses when required to work away from headquarters point; pay for jury duty; improvement in bereavement leave rule; and a premium for bilingualism when the designated position is agreed to by the Union.

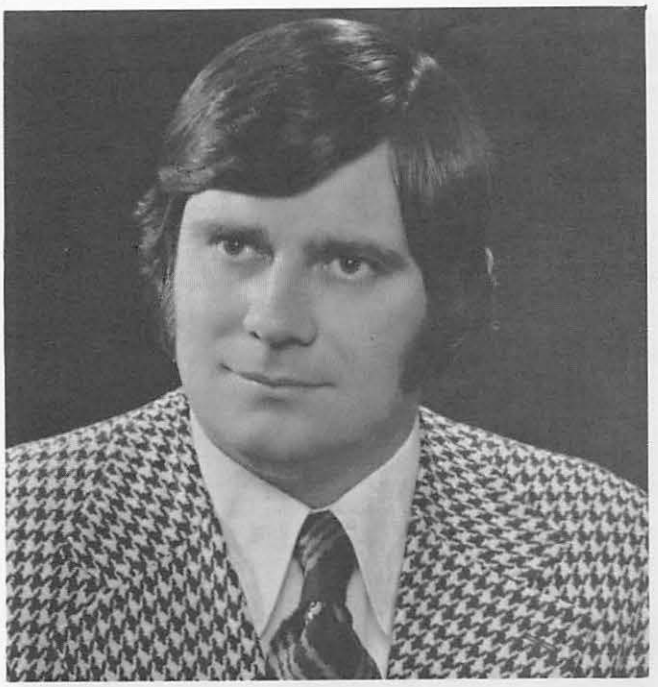
Our Negotiating Committee held a few meetings with the railways and were settling down to negotiations when we learned that the Shop Crafts had invoked mediation services in an effort to reach an early agreement. This being right up the Mediators' alley, they worked with the Shop Crafts while we cooled our heels. The Shop Crafts did reach a tentative agreement which they referred to their membership for ratification. Five of the seven Shop Craft unions did not accept the agreement.

In the meantime, our Committee informed the railways and the Mediators that the proposed Shop Craft settlement would not meet our requirements, and we took the position that if the Mediators' hands were now tied by the Shop Craft agreement they helped to reach, we would have no use for their services. We also put out a press release to this effect. The Mediators were not happy with the publicity, and they insisted that the Shop Craft agreement would have no effect on our negotiations so far as they were concerned if we invoked their services.

So, with some misgivings, we invoked their services and recommenced negotiations with the railways on January 7, 1971. With very few breaks, negotiations were continuous until we reached tentative agreement at 2:30 a.m., April 1, 1971. Because all of the other unions in our group were sending the agreement to their members for ratification, it seemed proper for our Brotherhood to do likewise. In our case, we received a 74.4% return of the ballots sent out, and of these 79.9% voted in favor. In all of the unions, the result was just over 70% in favor.

The highlights of the agreement reached with the railways, subject to ratification were: Wage increases, 8% effective January 1, 1971 and 7% effective January 1, 1972, a total increase of 15.7%; skill pay increased by 5¢ per hour effective July 1, 1971 and a further 5¢ per hour effective July 1, 1972; one additional holiday in 1972; vacations, two weeks after one year (unchanged), three weeks after eight years (previously ten years), four weeks after eighteen years (previously twenty) and five weeks after thirty years (new); jury pay up to sixty days in any year; life insurance up from $3,000 to $4,500 with a $500 paid up policy on retirement; weekly indemnity up from $60 per week to $80 per week; Medicare payments, married, $11.00 per month and single $4.50 per month in all Provinces except Quebec where the payment is $10.00 per month for all employes; and a letter from the railways reducing their right to contract out work.

Those are the highlights, but in addition, the Technological, Operational and Organizational Change agreement was improved substantially. An employe with three or more years' cumulative compensated service would be entitled to receive, when laid off, an amount which, when combined with his Unemployment Insurance payments, would equal 80% of his regular wages to a maximum of $100 per week (up from $60 per week). A money bank was established, on paper, for each employe, and he would draw benefits until he returned to work or his money bank was exhausted. Without going into a lot of detail, an employe with five years' cumulative compensated service would have a layoff money bank of $1,200, and a severence pay bank of $900; and employe with ten years would have a layoff bank of $3,500 and a severance pay bank of $1,800; and an employe with thirty years service would have a layoff bank of $12,000 and severance pay of $9,500. These amounts were greatly increased from the amounts in the previous contract.



John E. Platt is a Grand Lodge Representative assigned to Canada and headquartered at Montreal. Brother John, a member of C.N. Local 12, was elected by the Canadian General Committee in September, 1972 to succeed Brother Harold Stockdale, who retired on an annuity. Brother Platt also serves as a member of the Grand Executive Council.

During 1971, Parliament revised the Unemployment Insurance Act of Canada. Effective June 27, 1971 payments in event of layoff were increased and the duration of such payments was also increased; and for the first time, payments would be made to qualified employes who were out of work due to illness or non-compensable injury. Under the U.I. payments would commence at the fifteenth day of illness or injury, whereas under the railway plan, payments commence on the first day of accident and the fourth day of illness. Approval was received for the railway plan to pay up to the fourteenth day, and the employe would then go on Unemployment Insurance for up to fifteen weeks. If still incapacitated at that time he would go back on the railway plan for up to an additional twenty-four weeks. After a few months of operating in this way it was found that many employes were losing their entitlement to benefits earlier than they should, and before they were able to return to work. Because their benefits were cut off in Unemployment Insurance, they were also cut off under the railway plan, and this created problems for so many people that even the railways agreed that a change had to be made. Consequently, it was agreed that, effective July 30, 1972, employes would come under the railway plan from the first day of accident, fourth day of sickness and for a duration of fifteen weeks. Following this, the employe would be required to exhaust his Unemployment Insurance sickness, and after that, if still disabled, he would go back on the railway plan for an additional eleven weeks. One result of this was to reduce the cost to the railways of Unemployment Insurance. The Master Agreement of May 14, 1971 provides that any such saving by the railways would be used for additional benefits, but at the time of writing, the necessary computations had not been made to enable any discussions on that feature.

Safety Hearings by Canadian Transport Commission

Because of the steady rise in derailments and collisions on the two major Canadian railways in the past few years, the Canadian Transport Commission decided to hold hearings to investigate safety in general on the railways and the causes of railway accidents. Hearings commenced in Ottawa on January 18, 1971 and concluded in September, 1971. Fifteen different subjects were covered, among which were maintenance and inspection of railway cars, signals and radio; inspection of track, structures and signals; track motor car operation on CTC territory and off CTC territory; handling of dangerous cargos; accident procedures; the need for revision of the railways' rules and instruction to their employes; and research and development by the railways respecting safety. On June 28, 1971 Brother Stockdale, Grand Lodge Representative, testified before the Commission in connection with the subjects dealing with signals and track motor cars. His attack was mainly against the Canadian Pacific on the grounds that whereas Canadian National had increased its signal maintenance staff commensurate with the amount of signal equipment to be maintained, the C.P. maintenance staff was still at the 1957 level; C.N. had a reasonable set of rules covering signal inspection and maintenance and C.P. did not; and C.N. had the best Signal Training Program in North America, and C.P. had no training plan at all. At the conclusion of the hearings it was decided that tripartite Task Forces would be set up to deal with each of the subjects, and to date two such Task Forces have been in operation, one dealing with dangerous commodities and the other with the inspection of railway running equipment. Canadian Railway Labour Association was behind the case for the railway unions, and Brother J. F. Walter, Vice-President, B.L.E., and Vice-Chairman of C.R.L.A., did a masterful job as chief spokesman for the unions. At the conclusion of the hearings the Chairman of the Commission complimented him on the excellent job he did with the meager resources at his disposal. It is anticipated that additional Task Forces will be established as the Commission finds the required men with the time to spend.

W. B. Harwell, Jr. is a Grand Lodge Representative assigned to Headquarters. Brother Witt, a member of A.T.&S.F. Local 161, has served on this position since 1970. His main duty is the preparation of cases for the N.R.A.B.

Since the early part of this century sections of the Railway Act have prohibited release to the public of official information on train accidents. At the C.T.C. hearings on safety, C.R.L.A. counsel, Maurice W. Wright, Q.C., asked the Commission to declare those sections unconstitutional. He pointed out that full public reports are made in cases of shipping and aircraft accidents, but not in cases of train accidents. The Commission agreed to take the matter under advisement.

Strike on Ontario Northland Railway

The Ontario Northland Railway is owned and operated by the Ontario government and only a small part of the road, where it runs into Quebec, comes under federal jurisdiction. During 1971, the General Chairmen's Association on the O.N.R., made several attempts to obtain a pension plan comparable to the plan for other Ontario government employes. After a number of months of discussions, during which management obstinately refused to improve the O.N.R. plan, all of the employes on the railway, approximately 1,600, called in sick and were off work on what was actually a wildcat strike for seven days. They only returned to work when the government and the railway commission agreed to enter serious discussion on the pension matter. The pension plan provided a maximum of 50% of the employes' wages at time of retirement, or 50% of the average of his wages in his best five years, whereas the plan for other provincial employes in

Ontario provided a maximum of 70% on the same basis. Further discussions were held between the General Chairmens' Association and the railway commission and the inequity was removed.

Pension Plan on Canadian National

It would be possible to write volumes on the pension plans on the two major railways in Canada, but this report will deal only with the plan on C.N. as it existed on December 31, 1966, and on December 31, 1972. On December 31, 1966, the plan provided a pension of average earnings during the last sixty months of allowable service or any five consecutive five years, whichever was the larger, multiplied by 1¼% for each of the first 30 years of service and 1½% for each of the years of service after 30. On January 1, 1966, the Canadian government instituted the Canada Pension Plan which was compulsory on all employes earning between $600 and $5,000 annually, and both employe and employer were required to make a contribution of 1⅛% on such earnings. The unions on the railways desired that the plans be pyramided but the railways refused on the grounds that the amount they were paying into the private plan was all they could be required to pay. The C.N. plan was revised so that an employe retiring on pension after January 1, 1966, would be entitled to a pension based on average monthly compensation for the last 60 months of allowable service or any five consecutive years, whichever is the larger, multiplied by (a) 1½% for each year of service prior to January 1, 1966, (b) 1% for each year of service after January 1, 1966, on average annual compensation up to the Yearly Maximum Pension Earnings ($5,000 at the time), and (c) 1½% for each year of service after January 1, 1966, on compensation above the Y.M.P.E. During 1971, further changes were made. Where previously an employe could retire before age 65 with an actuarial cut-back in his pension, he could now retire at age 60 with full pension for years of service. All members of the plan are guaranteed a pention, including Canada Pension of 1½% for each allowable year of service.

Pension Plan on Canadian Pacific

Changes were also made in Canadian Pacific Pension Plan over the past seven years. Prior to January 1, 1956, employes retiring were entitled to a pension of average monthly pay for five years preceding retirement or the average of any earlier five consecutive years, whichever was larger, multiplied by 1⅛% for each year of service prior to January 1, 1937, (non-contributory service), and by 1¼% for each year of contributory service after December 31, 1936. Employes retiring between January 1, 1956, and December 31, 1965, received a pension based on 1½% of average monthly earnings for five years preceding retirement or any earlier five consecutive calendar years, whichever is larger, for each year of service after January 1, 1956. Employes retiring after January 1, 1966, are entitled to a pension of average monthly pay for five years preceding retirement or average of any earlier five consecutive years, whichever is greater, multiplied by 1⅛% for each year of service prior to January 1, 1937; by 1¼% for each year of service from January 1, 1937, to December 31, 1955; by 1½% for each year of service from January 1, 1956, to December 31, 1965; by 1% for each year of service from January 1, 1966, on average pay up to the Y.M.P.E.; and by 1½% for each year of service from January 1, 1966, on average pay in excess of the Y.M.P.E.

At the time of writing this report, the railway unions in Canada have a demand on the table for a pension calculated on the basis of 2% per month on the average pay for the best five years, with the railways to pay the excess costs over those of the present plans. Negotiations are presently under way, but no agreement has been reached. For all unions except the BLE and the BLFE section of UTU, this demand is in addition to demands for wage increases and other benefits.

As information, it might be added that contributions by employes to the pension plans are: on the C.N., from January 1, 1966, 5% of wages up to the Y.M.P.E., and 6½% on wages in excess of the Y.M.P.E., and on the C.P., from January 1, 1966, 4.42% of wages up to the Y.M.P.E. and 6% on wages in excess of the Y.M.P.E.

Railway to the Arctic

With the discovery of huge oil supplies in the Arctic and along the Arctic coast, controversies arose as to the best method of transporting the oil south to the greater populated areas. The oil companies favor a pipeline, but several influential people in Canada argue that a pipeline will adversely affect the environment of the country, and that a railway would be far superior in that respect and also better for the economy of the country. The railway unions in Canada, through the Canadian Railway Labour Association, are putting pressure on the government in favor of the railway and against the pipeline. The proposed railway would be 1,240 miles long and it is anticipated would employ 5,000 workers.

Negotiations, Q. N. S. & L.

During November, 1971, we served notice on the Q.N.S. & L. Railway for revision of contract including wage increases, improvements in fringe benefits, a Technological Change agreement, and revisions to many of our individual agreement rules. The Q.N.S. & L. is a subsidiary of the Iron Ore Company which has iron mines at Schefferville and Labrador City. There are five unions with membership on the railway,

R. R. Mitchell is a Grand Lodge Representative assigned to Western Canada with headquarters at Winnipeg. Brother Bob, a member of O.N. Local 204, was elected in September, 1972 to succeed Brother Norm Cotton, who retired on a disability annuity for health reasons.

BMWE, IAM, UTU, BLE, and BofRS. The Steelworkers have four agreements with the Iron Ore Company covering the mines and the loading docks at Seven Islands. For the first time in the history of the property, all nine unions agreed to serve similar notices on the main demands, and to negotiate jointly. In addition to the main demands, each union had the right to serve notice on individual problems with their agreement clauses, and this was done. Mediation was invoked early in the negotiations and many meetings were held between December, 1971, and June 30, 1972, at which time agreement was reached on most issues. The UTU and BLE had some outstanding items but they agreed on the main items which included:

- March 1, 1972—50¢ per hour on basic rate. Increase of 5¢ in job increment bringing the increment to 9¢ per hour between classes.
- March 1, 1973—12.5¢ per hour plus 4¢ increase in job increment.
- March 1, 1974—12.5¢ per hour plus 4¢ increase in job increment.
- Cost of living adjustment, based on 1¢ per .5 per cent increase, beginning March 1, 1973, with a guarantee of 12.5¢ per hour on March 1, 1974, increased to 25¢ per hour, or 12.5¢ plus March 1, 1974 adjustment, whichever is greater, on December 1, 1974.
- Tradesmen (top class in each group) increased by two classes, or 19.6¢ on December 1, 1974.
- Vacation bonus of $40.00 per week for vacations starting between October 1 and December 14, or between January 16 and May 31.
- Improvement in pensions, weekly indemnity and life insurance.
- Northern Allowance, for employes permanently stationed at Schefferville or Labrador City, increased from $25 per month single to $50, and from $40 to $65 per month married.
- Company agreed not to increase board cost along the line for the duration of the contract, and not to increase rent on company houses at Schefferville and Labrador City for the duration of the contract.
- Until this agreement, Signals, Communications, Electronics and Automatic Plant Technicians had separate seniority and separate work assignments. The Company wanted to combine the work and seniority (with present seniority protected) of the four groups. We agreed to this with the proviso that it would not apply to Tradesmen (top class) except on a voluntary basis. In exchange, Tradesmen are paid two classes higher, 18¢ per hour, effective March 1, 1972.
- This adjustment does not apply to Linemen, Telephone Installers or to Business Machine Technicians, but the Tradesmen in these groups will receive the two-class upgrading on December 1, 1974, and in each case they get the top rate one year earlier.
- By December 1, 1974, our Tradesmen rate will have increased from $778.00 per month to $1,047.08, and our Foremen from $890.00 to $1,115.02, plus the cost of living bonus.

In addition to those main items, we revised a number of our seniority rules, the rules governing the training plan, and the grievance procedure rules. The contract expires February 28, 1975.

Negotiations 1972-73

On November 1, 1972, we served notice on the Canadian National, Canadian Pacific, Ontario Northland, Toronto, Hamilton and Buffalo, Toronto Terminals, Northern Alberta and Dominion Atlantic Railways for a revision of contract. We did so in concert with BRAC, BMWE, UTW, T-C Division of BRAC, Firemen and Oilers, Porters and the Canadian Brotherhood of Transport Workers. The demands included 55¢ per hour wage increase in the first year of a two year contract, and 15% increase effective January 1, 1974; skill pay to be increased and included in the basic rate; shift differentials, double time for overtime worked, with a 4-hour minimum call; employes with two or more years of service to be provided with full employment without loss of pay; sick leave; improvements in weekly indemnity, Medicare allowance, life insurance; vacations, general holiday rules, and bereavement leave. Also requested were one additional general holiday (now ten), travel time and expense rules and working clothes. The Shop Crafts and UTU served their notices at the same time, and all three groups requested improvements in the pension plans of C.N. and C.P. Several meetings were held with Mediators in attendance, and on March 17, the Joint Non-Operating Negotiating Committee broke off negotiations and requested a Conciliation Board to hear the dispute and bring in a set of recommendations. In the meantime, the railways had agreed to improve the C.N. and C.P. pension plans to include the 2% pension formula, and an agreement has been signed to this effect which will become effective on the same date as the new wage contracts when they are completed and signed.

Signal Technicians, C.N.R.

Railway unions in Canada, except the Shop Crafts, do not have Scope Rules in their agreements to outline the work belonging to the various unions. In our individual demands served in 1970 we requested a Scope Rule, and one of the main reasons was that with the introduction of more technical signal equipment and circuits, the company had hired non-schedule people to work on such equipment. The company was adamantly opposed to writing in a Scope Rule but did eventually agree to set up a Signal Technician class which would be covered by our agreement. Rules to cover the filling of the positions were established and it was found necessary to revise some of the rules as experience was gained, but the bugs are gradually being ironed out. At the time of writing this report there are ten schedule Signal Technicians working at various parts of the System.

* * *

Our dues collection under the check-off continues at a rate between 1,400 and 1,500, and in fact, in August, 1972 we established a record high with dues collected from 1,521, not including the Q.N.S. & L. where we collect from about 90. Since Canadian Pacific continues to maintain its signal employment rate at the 1957 level, any increase there has been is on Canadian National and the smaller roads. If the Ca-

nadian Transport Commission does establish a Task Force on Signals on which we would be directly represented, Canadian Pacific will undoubtedly be required to increase its signal maintenance force substantially.

NATIONAL MEDIATION BOARD CASES

There were five cases pending before the National Mediation Board when the last report was prepared. Since then seven additional cases have been submitted, making a total of twelve cases to be handled. Of these, six have been closed out and six are pending.

NATIONAL RAILROAD ADJUSTMENT BOARD

At the beginning of this report period, viz., April 1, 1970, there were 134 SG cases before the Third Division formally accepted and given a docket number.

301 SG cases were docketed by the Third Division between April 1, 1970 and March 31, 1973. During the same period 289 awards were rendered—285 dealing with the issue presented and 4 granting withdrawal of the dispute. As of March 31, 1973, there were 146 cases docketed with the Third Division.

SPECIAL BOARDS OF ADJUSTMENT

The Railway Labor Act established the National Railroad Adjustment Board to adjudicate minor disputes. It also provided for the establishment of regional or system boards of adjustment, if both parties agreed. As a considerable backlog of minor disputes accumulated at the NRAB, the Act was amended in 1966 to provide for the establishment of a special board of adjustment upon the request of either a carrier or the employes. That amendment was designated as Public Law 89-456. Special adjustment boards established thereunder are referred to as Public Law (PL) Boards, numbered consecutively. Special adjustment boards established under the original Act are designated as Special Boards of Adjustment, also numbered consecutively.

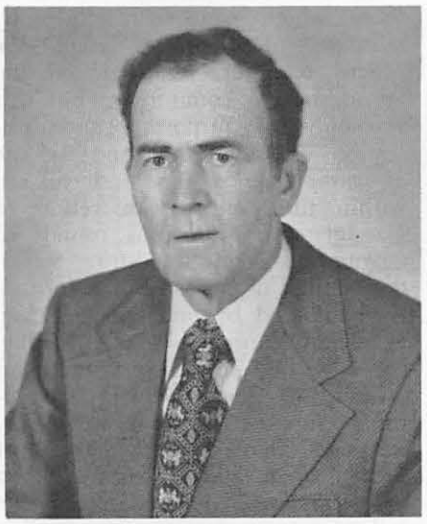
FAILURE TO APPLY NRAB AWARDS

Award No. 14162—
Chicago, Milwaukee, St. Paul and Pacific

In this case we filed a claim for pay for all time an employe was out of service after carrier asserted he lost his seniority. The Board sustained our claim. When the carrier attempted to deduct outside earnings, we filed suit in court to have the full amount paid. The court remanded the case to the National Railroad Adjustment Board with a request for clarification of the award with respect to outside earnings. The Board then held that outside earnings were not to be deducted. We again entered the courts in an attempt to have carrier pay claimant the full amount without deducting outside earnings. The court rendered a favorable decision on March 4, 1970. The suit was settled with payment by the carrier of the full amount awarded by the Board, plus interest, and the Brotherhood was reimbursed the legal fees awarded by the court action.

Conclusion

The activities summarized here do not begin to tell the complete story of our Brotherhood's service to our members. However, we have made definite progress and will continue to progress with your support. Our goals and objectives are set high and there is not the slightest doubt in our minds about our determination and ability to achieve whatever goals we set out to obtain.



George A. Harrington is a member of the Grand Board of Trustees. Brother George, a member of S.C.L. Local 16 (former Local 105), was elected in 1970 and serves as Secretary of the Trustees.

W. W. Lauer is Chairman of the Grand Board of Trustees. Brother Walt is General Chairman of the CB&Q System Committee and a member of Local 119. He also serves as Chairman of the Committee on Laws.

J. E. DuBois is a member of the Grand Board of Trustees from Canada. Brother Emmett is a member of C.N. Local 144 and was appointed to fill the term of Brother C. R. Scott, who passed away on October 1, 1971.

news from Canada

BROTHER R. C. SMITH, chairman of the Non-Ops Negotiating Committee, issued a statement to the Canadian Conciliation Board regarding the present Canadian wage negotiations. Grand Lodge Representative John E. Platt, the BofRS representative on the Non-Ops Negotiating Committeee, noted the importance of this statement and requested every Canadian member be informed of Brother Smith's statement.

The statement issued on June 19, 1973 in Montreal, Que., is as follows:

Mr. Chairman and
Members of the Board:

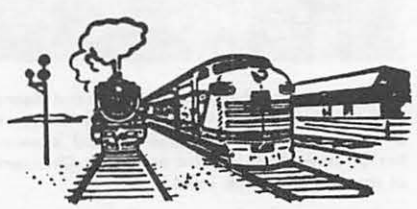
The statement which I am about to make represents not only my personal thinking, but the unanimous view of the Negotiating Committee of the Associated Non-Operating Railway Unions.

We cannot recall when a Conciliation Board has undertaken its responsibilities in such a strained atmosphere. Hardly a fortnight, possibly even a week, has gone by in the last few months without a wildcat walkout or other similar type of eruption occurring on the railways in some part of Canada. The railway employes have expressed their disapproval not only of the collective bargaining practices of the railway companies, but also, in many cases, of their own elected leaders in their respective labour organizations.

To those whose purpose it serves to do so, responsibility will undoubtedly be fastened on us as leaders on the pretext that we are unable to provide adequate leadership. To them, we do not address ourselves. We direct these remarks to your Board and to those who are willing to attempt to understand what has happened and is happening on the railways.

Our labour laws are based on the foundation that management and labour will be able to work out their differences through collective bargaining. If they should not be able to arrive at a mutual consensus at the bargaining table, then the law recognizes that an inducement to facing "the moment of truth" is the permissible resort to the strike weapon. Before a strike is permitted, however, the parties must fully exhaust the mediation and conciliation machinery provided by law. This is the case for Canadian employers and Canadian workers. For all, that is, except railway workers.

Railway workers have always been told that they are "essential" and that, therefore, their work must continue without interruption since the public interest would be too greatly damaged if railway traffic were disrupted. To be sure, the law permits them to strike. But, if they avail themselves of that right, then Parliament immediately directs the railway men and women to return to work forthwith under penalty of punishment if they fail to do so. The right to strike for them is, therefore, theoretical only. The right to strike available to railway employes is nothing less than tokenism. A few days may be permitted and then the long arm of Parliament reaches out and sends each of them back to their jobs. Thus, all that the railways have to do is to wait out the period of the token strike and then compulsory arbitration is imposed upon them by an authority no less than Parliament. The pattern which has been established is unmistakable.



The railway employes and the labour organizations representing them are left in a position of pleading a cause without any means available to them to support their demands in the way that is available to Canadian workers who are fortunate enough not to be "essential."

The results of this one-sided approach—one-sided because it can only favour the railway companies—ought not to surprise anyone.

In Canadian industry pensions have been the subject of collective bargaining for many years. It is an important and accepted factor in the employer-employe relationship which impinges directly on the sense of security which an employe has for those years when age prevents him from working for his livelihood. Whereas in industry generally, the formulation and administration of a pension plan has always been an issue which unions have concerned themselves with, such was not to be on the railways. Constantly, we were told that pensions would be those which were laid down by management alone. True, the unions had representation on the administrative committees, but this was only for purposes of administration. Policy matters and the use of pension funds were and still are within the exclusive discretion of management. Numerous rounds of negotiations went by during which the subject of pensions was formally repudiated by management even as being a bargainable issue. Finally, the sense of resentment against this attitude of "benevolent" paternalism became so obnoxious to railway employes that a ground-swell of protest which had been building up for many years finally forced the railways to negotiate the pension plan with us and this was ultimately accomplished within the last few months. This accomplishment was attained, however, only after the

protests of railway workers had reached fearsome proportions and it took almost a generation to reach this point!

Earnings of railway employes have not been negotiated in a "free market" for more than a third of a century! In the hungry thirties almost any wage which would keep a railway employe off the dole was eagerly, even gratefully, accepted. In the war years that followed, wage control and self-imposed restraints which the war effort required, had the effect of continuing to keep wages down. Since the war any attempt to negotiate upward revisions of wage rates was against the certain knowledge that if the strike weapon were resorted to, then Parliament would direct the railway workers to return to their jobs and submit themselves to the imposition of unwanted third party arbitration.

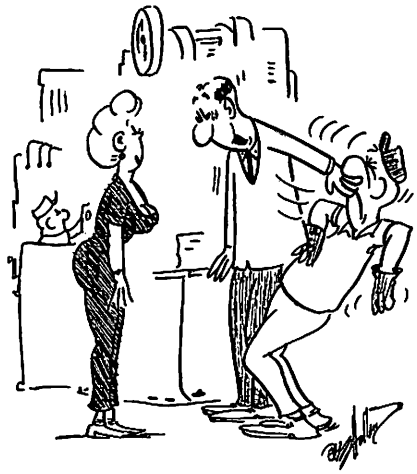
Has management ever had a more comfortable shelter in which to "negotiate?" Thus, the railways need only go through the motions so that no concessions would be made by them which could be used "against" them in ultimate arbitration. Small wonder, therefore, that railway workers—those "essential" people employed in an industry which the politicians always remind us is the life-blood of our economy —have seen their earnings reduced to the point where they are probably among the most exploited and underpaid workers in Canada.

It may be said that the last two collective agreements have resulted from collective bargaining without the intrusion of Parliament. Nothing is further from the truth. We are *never* removed from the shadow of Parliament which hovers over us and which, by its very presence, successfully protects the interests of management. The last two rounds of collective bargaining were conducted by us with the knowledge that Parliament would not allow us the same rights as the law gives to all other Canadian workers. We were required to bargain, therefore, against that background and to settle for what we thought might be obtained through third party arbitration—not through free collective bargaining.

While this process has continued, as we have said, for almost a third of a century, the railway industry has been revolutionized by technological improvements which have reflected Man's constantly increasing inventive genius. Machines have been invented which challenge the imagination and boggle the mind. Wonderful news for all—except the railway employes. The reductions in the work force of these "essential" creatures have played havoc with the lives of men and women who have exhausted themselves in service to the industry. Man strives constantly for security and this is understood and acepted by society. When, however, a railway employe, even worse, when the railway employes as a whole, seek redress from these industrial convulsions so that some sense of security may be available to them, a different standard applies. We are then accused of "feather-bedding" and of indulging in make-work practices. The "essential" worker (often in his late forties or early fifties) whose skills are not in demand, or even useful, except in the railway industry, is expected to be almost apologetic.

Is there no reciprocal responsibility involved? If it has been right and proper for the public interest to warrant the making of such onerous demands upon the railway workers, is there no reciprocal obligation by the public interest—Government, railway companies and the public—to assume some responsibility to the railway employes?

What has been the result of this one-sided history? Our own members' resentment has boiled over in frustration; frustration with the companies, frustration with the law, frustration with the length of negotiations which see almost a year go by before a settlement is reached or imposed. Against whom could they give vent to their frustrations? The obvious target becomes their own leadership, even their own organizations. In open defiance of pleas from their own elected representatives, they have mounted wildcats, slow-downs, book-offs and so on. We do not approve of or support such actions; but we can clearly understand them. We, who represent the leadership of their bargaining agents, feel the direct impact of these protests more than anyone else and while we are distraught, even embarrassed by them, we sympathize with the expressions of frustration even though they may be directed against us. Inability to sympathize with their frustrations can come only from complete insensitivity to the accumulated injustices which have been perpetrated, and continue to be perpetrated, against railway employes. By adopting a posture which favours motherhood and morality, it is easy to condemn both the railway employes and their labour organizations as well as their leaders out of hand. But, this would represent misbegotten and unseemly virtue.



"Go take your coffee break, Flissby. This is no machine for a Journeyman to be showing an Apprentice."

Present unrest portends the possible direction in which management-labour relations may go on the Canadian railways. It is almost, but not yet entirely, too late to re-establish the situation on a sound and sensible footing. If, because of their "essentiality," the public interest is justified in treating railway employes differently from all other employes in industry, then the time has come to stop immediately the accumulated trend of seeing them fall constantly further behind on the economic treadmill.

Railway employes do not ask for preferred treatment; they simply say that they will no longer tolerate the perpetuation of the disadvantaged position to which they seem to have been committed.

The Associated Non-Operating Railway Unions give you their firm assurances that they will do everything in their power to ensure that your undertaking will meet with success. Hopefully, a mutual agreement may be reached with your assistance. It would have been unrealistic, however, for us not to inform your Board fully of the depth of the resentment and the collective sense of grievance held by the employes affected by these proceedings and it is against that background that we submit our representations on their behalf.

Mr. Chairman and Members of the Board, I now call on Mr. Maurice W. Wright, Q. C., to present the formal submission on our behalf.

THE NATIONAL TRANSPORtation Safety Board urged the Burlington Northern to redesign its train-order signal system to eliminate a "phantom" proceed signal which the Board found was involved in a head-on freight train collision May 24, 1972. Both engineers and both head-end brakemen died in the fiery collision on single-line track near Maquon, Illinois.

The two freights were to have "met" at Yates City about eight miles east of the point of impact—the eastbound train taking a siding there and the westbound train stopping short of the siding switch until it had a clear track. The eastbound crew had received the train order for this "meet." But the westbound train passed a signal at Yates City station which was positioned to direct the crew to stop there to receive its written train order, and there was no one on duty at the station at the time the train passed the stop signal.

The Safety Board determined that the probable cause of the collision was the "failure of the responsible employes" to deliver the train order for the meet to the westbound crew. Contributing factors cited were (1) the failure of the westbound train to stop to receive its train order—a failure for which the Board could not determine the reason, but held that the engineer "may have failed to interpret the signal correctly . . . because of the effects of alcohol and a misleading phantom clear aspect of the westbound train-order signal;" and (2) the fact that employes involved "did not comply with the requirements of the operating rules to take special precautions for the safety" of the westbound train.

The Safety Board's investigation showed that the train-order signal for westbound trains at Yates City had been set correctly by the station operator before he went off duty. This was a semaphore arm set horizontally so the signal light was shining through the arm's red lens. The Board observed visual obstructions of the semaphore arm.

The phantom signal found by the Board was produced when a late afternoon sun shone through the arm's green signal lens and made it more noticeable to a westbound crew than the artificially-lighted red lens. The accident occurred at 6:37 p.m. on a sunny day.

The Board also found that the level of alcohol in the blood of the westbound freight's engineer "was sufficient to impair his mental and physical actions." This and the phantom clear or proceed signal at Yates City could have caused the engineer to misinterpret the stop signal for a clear signal, the Board said.

Both trains were exceeding by about 10 mph the 30-mph speed limit for the curve on which the collision occurred, the Safety Board reported. It also said Burlington Northern trains had "routinely" exceeded speed limits, according to a Board study of other locomotive speed recordings. The Board could not determine whether legal speeds would have resulted in a non-fatal impact in the Maquon freight collision.

The Burlington Northern's rule for the "restricting" order for a meet of the trains provided for use of such an order only when there was no other choice. But the Board said the trains' meet could have been handled by two alternative methods, and there was "a pattern of noncompliance" with the last-resort aspect of the rule "for some time preceding the accident."

The Board further cited the rule as "ambiguous" in requiring "special precautions" without making clear "what special precautions were to be taken . . . or which employe was to take them." The Board listed three possible precautions which could have been taken before the train order was issued, and four which were possible after its issuance.

One of the possible precautions which was not taken was radio notification to the westbound crew of the train order for its meet at Yates City. The Board noted that although the Burlington Northern dispatchers could be switched by station operators for radio communication with train crews in the station's area, "little use was made of this arrangement."

On May 3, 1973 the Board, in its report on a March 1972 Penn Central freight train collision, recommended to the Federal Railroad Administration that radio-equipped railroads be required to install radios "in appropriate parts of trains and maintain them in operating condition unless all personnel involved are notified to the contrary."

In its Burlington Northern report, the Safety Board recommended that the Burlington Northern (1) redesign its train-order signals so a phantom signal would be impossible; (2) review its operating rules and their interpretation "to assure that train movements are adequately protected," and to be certain rules are followed; and (3) adopt a system of safety analysis of operating rules and practices "to disclose conditions of inadequate protection of train operations." The Board also "reiterated and emphasized" the May 3 recommendation to FRA.

The report the Board released is available to the general public. Single copies may be obtained without charge by writing to the Publications Branch, National Transportation Safety Board, Washington, D.C. 20591.

RAILROAD RETIREMENT LEGISLATION

Congress sent to the White House a Railroad Retirement Bill that will prevent a drastic cutback in benefits and shift a substantial share of the cost of the program from workers to their employers.

The legislation, based on an agreement negotiated earlier this year by the BofRS and the NRLC, provides another year to develop a long-term solution to the funding problems of the Railroad Retirement System.

Congress directed a joint Labor-Management Committee to come up with an actuarially sound formula for financing the retirement system and to submit a draft bill to Congress not later than April 1, 1974.

Although there has been no direct threat of a Presidential veto, the House took the precaution of holding back final approval of the legislation until June 28.

If it had been sent to the White House earlier, the President could have killed the bill with a pocket veto since Congress was in recess during the first week in July. President Nixon had vetoed a 20 percent increase in retirement benefits last year, but Congress quickly overrode the action. By delaying final passage of the bill, Congress made sure that it would be back in session in time to act on overriding a veto.

At this writing, July 10, President Nixon has neither signed or vetoed the bill, HR 7200. He has until midnight, July 11, to take action. To date the White House has not indicated what action the President will take on this important piece of legislation.

Determine Your Rights Under FELA

Members who are injured on the job and the dependents of those members who have been killed or have died as the result of such injuries should by all means ascertain their rights and benefits under the Federal Employers' Liability Act before attempting any settlement with the railroad.

Below is a list of attorneys who, on the basis of information made available to us, are competent to give full information and assistance to those in need of it.

This list is compiled and maintained on the strength of information furnished us by both attorneys and members. The accuracy of the list that we will publish from time to time depends entirely on the information furnished us. Therefore, everyone concerned is urged to keep us informed regarding cases handled, nature of the case, terms of the settlement, commendations, criticisms, etc.

THIS INFORMATION SHOULD BE FORWARDED TO PRESIDENT C. J. CHAMBERLAIN AT GRAND LODGE HEADQUARTERS.

Aurora, Colo. 80010. John J. Rossi, Morrisard & Rossi, 1901 Peoria St., Suite 202 Tel. (303) 364-9369

Baltimore, Md. 21202. Savage, Jones, Tingle & Schwartzman, 10 Light St., 30th Floor, Maryland National Bank Bldg. Tel. (301) 685-2713

Bergenfield, N. J. 07621. Charles J. Tyne, 104 N. Washington Ave. Tel. (201) 384-9433

Birmingham, ALa. 35203. Rives, Peterson, Pettus, Conway & Burge, 800 First National-Southern Natural Building, 1900 Fifth Avenue North Tel. (205) 328-8141

Boston, Mass. 02108. Francis H. Farrell, Suite 701, Old South Bldg., 294 Washington Street Tel. (617) 542-3270

Chicago, Ill. 60602. Henslee-Monek - Henslee, 120 Madison Bldg. Tel. (312) 782-5925

Cleveland, Ohio 44114 Howard M. Metzenbaum, Metzenbaum, Gaines, Finley and Stern Co., 1700 Investment Plaza, 1801 East 9th Street Tel. (216) 696-4666

Denver, Colo. 80202. Alex Stephen Keller, 316 Symes Bldg. Tel. (303) 255-3603

Denver, Colo. 80030 Ratner, Mattox, Ratner, Ratner & Barnes, 3090 W. 72nd Ave., Westminster Tel. (303) 427-1414

Fort Worth, Tex. 76102. Winfred Hooper, Jr. Hooper, Steves & Kerry 200 Fort Worth Club Bldg. Tel. (817) 335-9377

Houston, Texas 77002. Norman R. Jones, 1200 Houston First Savings Bldg. 711 Fannin St. Tel. (713) 255-0663

Indianapolis, Ind. 46204. Edward J. Erpelding, 111 Monument Circle, Suite 500 Tel. (317) 638-7771

Kansas City, Mo. 64105. Norman R. Jones, Suite 1420, Commerce Tower, 911 Main Street Tel. (816) 421-5411

Kansas City, Kans. 66101 Ratner, Mattox, Ratner, Ratner & Barnes, 804 Huron Building Tel. (913) 321-2619

Los Angeles, Calif. 90012. Clifton Hildebrand, 205 S. Broadway, Suite 400 Tel. (213) 629-2214

Los Angeles, Calif. 90036. Bodle, Fogel, Julber, Reinhardt and Rothschild, 5900 Wilshire Blvd., Suite 2600 Tel. (213) 937-6250

Miami, Fla. 33130. Hastings, Elias & Goldman, 315 Biscayne Bldg., 19 West Flagler St. Tel. (305) 377-9481

Minneapolis, Minn. 55402. Rerat, Crill, Foley & Boursier, 656 IDS Center, 80 South Eighth Street Tel. (612) 339-9231

Oakland, Calif. 94612. Clifton Hildebrand, 1212 Broadway Tel. (415) 451-6732

Pittsburgh, Pa. 15219. Evans, Ivory & Evans, 711 Frick Bldg. Tel. (412) 471-3740

Salt Lake City, Utah 84101. Wayne L. Black, Suite 400, Ten West Third South St. Tel. (801) 328-9741

San Antonio, Tex. 78205. George L. Schmidt, 1515 NBC Bldg. Tel. (512) 227-7565

Seattle, Washington 98104 Piehler & Allerdice 924 Arctic Bldg. Tel. (206) 624-4700

Syracuse, N.Y. 13202. J. Murray Dunn, 707 State Tower Bldg. Tel. (315) 422-0303

Tucson, Ariz. 85719. John P. Somers, 2016 East Broadway Tel. (602) 623-6111

Vicksburg, Miss. 39180. James B. Ramsey, First National Bank Bldg. Tel. (601) 636-5561

Wichita, Kans. 67202. Ratner, Mattox, Ratner, Ratner & Barnes, 444 No. Market, P. O. Box 306 Tel. (316) 262-6423

Wichita, Kans. 67202. John C. Frank, 615 Union National Bldg. Tel. (316) 264-0346

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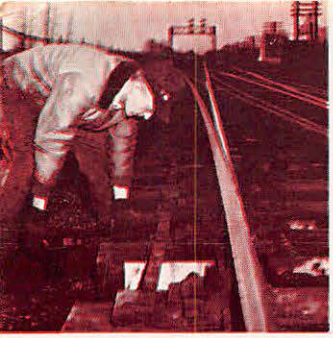
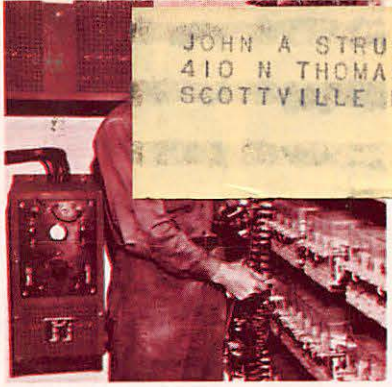
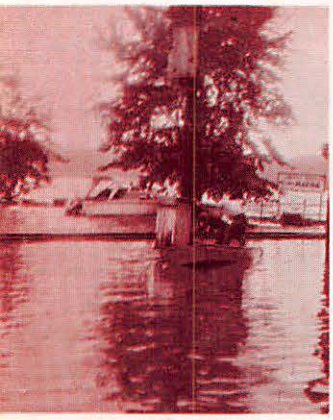
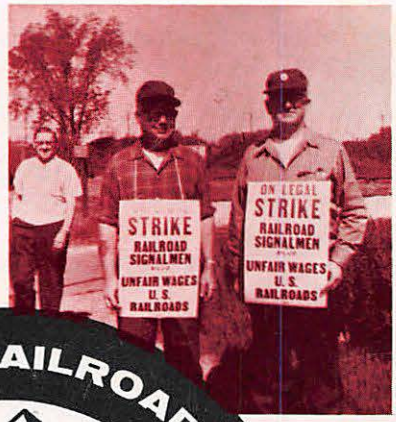
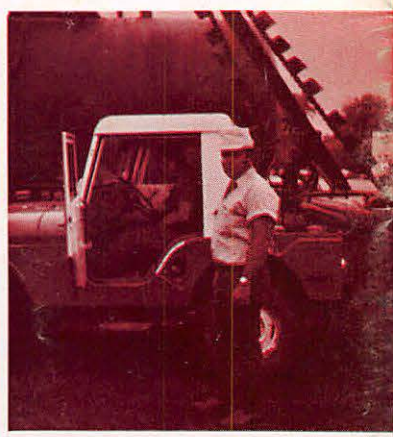
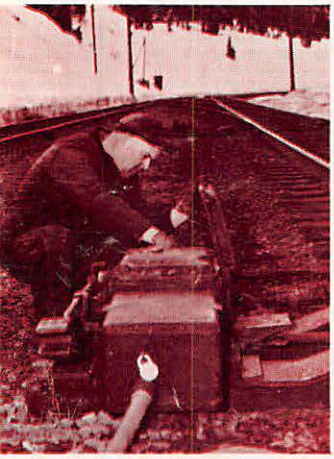
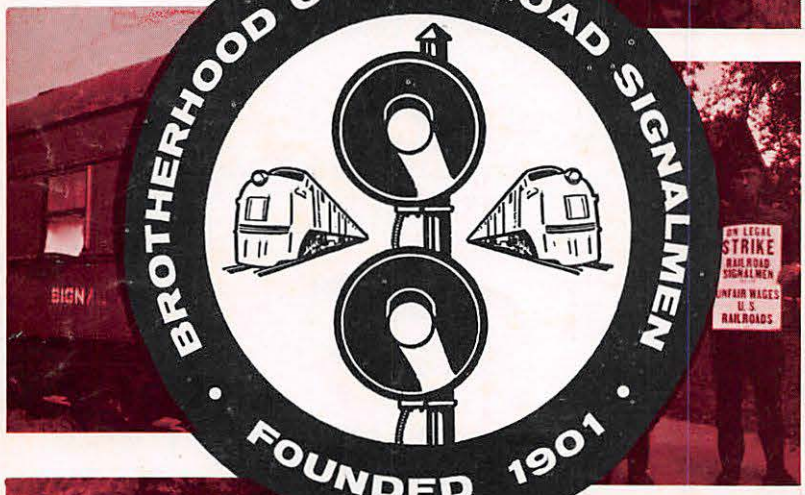
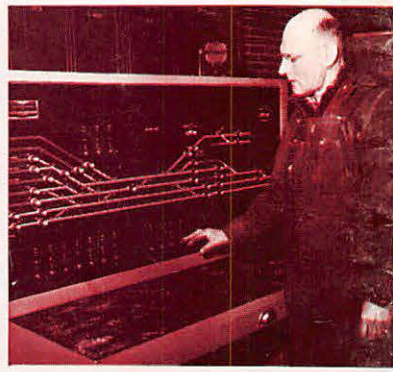
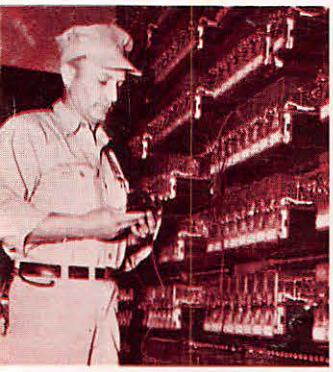
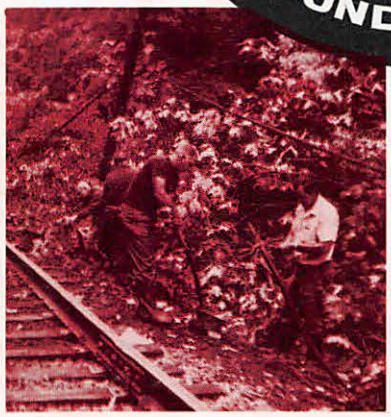
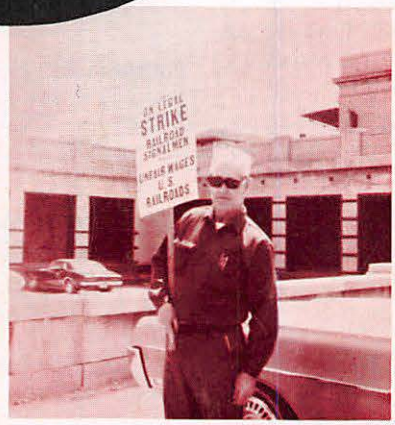
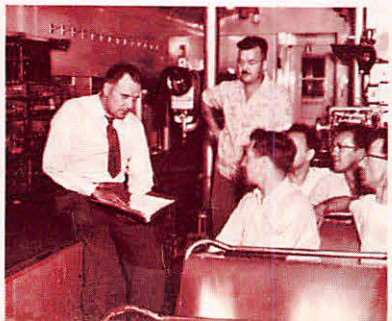
410 N THOMAS ST
SCOTTVILLE MICH 49454

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